

# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SECOND LEGISLATURE

**FIRST LEGISLATIVE DAY  
MONDAY, JANUARY 6, 2014**

### House of Representatives

The House convened at 12 noon, January 6, 2014, the time established for the convening of the Second Regular Session of the Sixty-second Legislature, the members of the House of Representatives convened in the House Chamber of the Capitol Building in the City of Boise, with Scott Bedke, Speaker, presiding.

Roll call showed 67 members present.

Absent – Barbieri. Total – 1.

Total – 68\*.

\*Mrs. Ward-Engelking(House Seat 18A) resigned effective December 20, 2013.

\*Mr. Patterson (House Seat 15B) resigned effective January 5, 2014.

At this time the Speaker put the House at ease for the Flag Ceremony.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Julia Horman, Page.

There being no objection, the House advanced to the Fourth Order of Business.

### Consideration of Messages from the Governor and the Senate

The Chief Clerk read the official proclamation as follows:

I, Ben T. Ysursa, Secretary of State of the State of Idaho and legal custodian of the records of elections held in the State of Idaho, do hereby certify that the following is a full, true and complete list of those elected or appointed to serve as members of the House of Representatives of the Second Regular Session of the Sixty-second Legislature, as shown by official records on file in my office:

DISTRICT	NAME
1 .....	Eric R. Anderson (R), George E. Eskridge (R)
2 .....	Vito Barbieri (R), Ed Morse (R)
3 .....	Ron Mendive (R), Frank N. Henderson (R)
4 .....	Luke Malek (R), Kathleen Sims (R)
5 .....	Lucinda L. "Cindy" Agidius (R), Shirley G. Ringo (D)
6 .....	Thyra Stevenson (R), John Rusche (D)
7 .....	Shannon McMillan (R), Paul E. Shepherd (R)
8 .....	Terry Gestrin (R), Lenore Hardy Barrett (R)
9 .....	Lawerence Denney (R), Judy Boyle (R)
10 .....	Brandon A. Hixon (R), Darrell Bolz (R)

11 .....	Gayle L. Batt (R), Christy Perry (R)
12 .....	Robert Anderst (R), Rick D. Youngblood (R)
13 .....	Brent J. Crane (R), Gary E. Collins (R)
14 .....	Mike Moyle (R), Reed DeMordaunt (R)
15 .....	Lynn M. Luker (R), Vacancy (R)
16 .....	Grant Burgoyne (D), Hy Kloc (D)
17 .....	John Gannon (D), Susan B. "Sue" Chew (D)
18 .....	Vacancy (D), Phylis K. King (D)
19 .....	Mat Erpelding (D), Holli Woodings (D)
20 .....	Joe Palmer (R), James Holtzclaw (R)
21 .....	Steven Harris (R), Thomas Dayley (R)
22 .....	John Vander Woude (R), Jason A. Monks (R)
23 .....	Richard "Rich" Wills (R), Pete Nielsen (R)
24 .....	Lance Clow (R), Stephen Hartgen (R)
25 .....	Maxine T. Bell (R), Clark Kauffman (R)
26 .....	Steven Miller (R), Donna Pence (D)
27 .....	Scott Bedke (R), Fred Wood (R)
28 .....	Ken Andrus (R), Kelley Packer (R)
29 .....	Carolyn Meline (D), Elaine Smith (D)
30 .....	Jeff Thompson (R), Wendy Horman (R)
31 .....	Neil A. Anderson (R), Julie VanOrden (R)
32 .....	Marc Gibbs (R), Thomas F. Loertscher (R)
33 .....	Janet Trujillo (R), Linden B. Bateman (R)
34 .....	Douglas A. Hancey (R), Dell Raybould (R)
35 .....	JoAn E. Wood (R), Paul Romrell (R)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Idaho. Done at Boise, the Capital of Idaho, this 3rd day of January, in the year of our Lord, two thousand and fourteen, and of the Independence of the United States of America, the two hundred and thirty-eighth.

/s/ Ben T. Ysursa  
Secretary of State

The Certificate of Election was ordered filed in the office of the Chief Clerk.

### THE OFFICE OF THE GOVERNOR

### CERTIFICATE OF APPOINTMENT

**KNOW ALL MEN**, that pursuant to the provisions of Section 59-917, Idaho Code, FRANK N. HENDERSON, State Representative, District 3, Seat B, Kootenai County, State of Idaho, has nominated, JOHN CHAMBERS, of 166546 W. Hollister Hill, Post Falls, ID 83854, to perform the duties of this office temporarily as Acting State Representative, District 3, Seat B.

**NOW, THEREFORE, I, C.L. "BUTCH" OTTER**, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint John Chambers of Post Falls, Idaho, to the office of Acting State Representative, District 3, Seat B, for a term commencing January 6, 2014, and continuing until such time as Representative Henderson is able to resume his duties.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 3rd day of January, in the year of our Lord two thousand and fourteen, and of the Independence of the United States of America, the two hundred and thirty-eighth year.

/s/ C.L. "BUTCH" OTTER  
Governor  
/s/ BEN T. YSURSA  
Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to John Chambers.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

#### HOUSE CONCURRENT RESOLUTION NO. 37

BY MOYLE AND RUSCHE

A CONCURRENT RESOLUTION

PROVIDING FOR A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE SECOND REGULAR SESSION OF THE SIXTY-SECOND IDAHO LEGISLATURE FOR THE PURPOSE OF HEARING A MESSAGE FROM THE GOVERNOR.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Governor has informed the House of Representatives and the Senate that he desires to deliver a message to a Joint Session of the House of Representatives and the Senate of the Second Regular Session of the Sixty-second Idaho Legislature in the Chamber of the House of Representatives at 1 p.m. on Monday, January 6, 2014.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-second Idaho Legislature, the House of Representatives and the Senate concurring therein, that the House of Representatives and the Senate meet in Joint Session on Monday, January 6, 2014, at 1 p.m. for the purpose of hearing the message from the Governor.

#### HOUSE RESOLUTION NO. 4

BY MOYLE AND RUSCHE

A HOUSE RESOLUTION

DETERMINING THE SELECTION AND COMPENSATION OF THE EMPLOYEES OF THE HOUSE OF REPRESENTATIVES OF THE SECOND REGULAR SESSION OF THE SIXTY-SECOND IDAHO LEGISLATURE.

Be It Resolved by the House of Representatives of the State of Idaho:

WHEREAS, House Rule 74 provides that the selection and compensation of the employees of the House of Representatives shall be determined by resolution of the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives, that the selection and compensation of the officers and employees of the House of Representatives of the Second Regular Session of the Sixty-second Idaho Legislature be determined by the Speaker of the House of Representatives.

[HCR 37](#) and [HR 4](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Mr. Moyle asked unanimous consent that two committees be appointed by the Speaker; one to notify the Governor, and one to notify the Senate that the House is organized and ready to do business. There being no objection, it was so ordered.

The Speaker appointed the following committees to notify the Governor and the Senate.

Representatives Crane, Shepherd, and Kloc were appointed as the committee to notify the Governor and Representatives Collins, Perry, and Woodings were appointed as the committee to notify the Senate. The committees were excused.

There being no objection, the House returned to the Fifth Order of Business.

### Report of Standing Committees

January 6, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HCR 37](#).

WILLS, Chairman

[HCR 37](#) was ordered held at the Desk.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

#### [HCR 37](#) - GOVERNOR - STATE OF STATE ADDRESS

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [HCR 37](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [HCR 37](#) be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Loertscher, Luker, Malek, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Raybould, Ringo, Romrell, Rusche, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Youngblood, Mr. Speaker. Total – 61.

NAYS – None.

Absent – Barbieri, Collins, Crane, Kloc, Perry, Shepherd, Woodings. Total – 7.

Total – 68.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [HCR 37](#) was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall [HCR 37](#) be adopted?"

Whereupon the Speaker declared [HCR 37](#) adopted by voice vote and ordered the resolution transmitted to the Senate.

There being no objection, the House advanced to the Thirteenth Order of Business.

### Miscellaneous and Unfinished Business

House of Representatives  
State of Idaho

January 6, 2014

The Honorable Fred Wood, Chairman  
Health and Welfare Committee

Dear Representative Wood:

Pursuant to House Rule 24, I am designating the Health and Welfare Committee as a privileged committee for the entire 2014 legislative session.

Sincerely,  
/s/ Scott Bedke  
Speaker of the House

### Ethics Committee

Pursuant to House Rule 76, Representatives Luker, Boyle, Andrus, Gannon, and Ringo have been elected by their respective caucuses to serve as members on the House Ethics Committee. Speaker Bedke has appointed Representative Luker as chairman. Representatives Denney and Raybould will serve as First and Second Alternates, respectively, for the majority members. No alternates have been elected by the minority caucus.

The following committee assignments were made:

### Attache Committee

Representative Bell, Chairman  
Representative Luker  
Representative Dayley

### Memorial Committee

Representative Gibbs, Chairman  
Representative Batt  
Representative Woodings

### Lincoln Day Committee

Representative Bateman, Chairman  
Representative Youngblood  
Representative Meline

There being no objection, the House returned to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

Mr. Moyle asked unanimous consent that a committee be appointed to wait upon the Senate and escort the Senators to the House Chamber for the purpose of attending the Joint Session. There being no objection, it was so ordered.

The Speaker appointed Representatives Loertscher, Nielsen, and Meline as the committee to wait upon the Senate. The committee was excused.

The committee appointed to wait upon the Senate returned and reported that the Senate was waiting to enter the House Chambers. The Speaker thanked and discharged the committee.

### JOINT SESSION

Pursuant to **HCR 37**, the hour of 1 p.m. having arrived, the members of the Senate entered the House Chamber and met in Joint Session with Speaker Scott Bedke presiding.

Roll call showed 67 members present.  
Absent – Barbieri. Total – 1.  
Total – 68.

Roll call of the Senate showed all 34 members present. 1 Absent.

The Pledge of Allegiance was led by Chaplain Tom Dougherty.

Prayer was offered by Chaplain Tom Dougherty.

Mr. Moyle asked unanimous consent that one committee be appointed to wait upon the Supreme Court Justices and Appellate Court Judges and one to wait upon the Elected Officials and escort them to the House Chamber. There being no objection, it was so ordered.

The Speaker appointed Senators Lodge and Bock and Representatives Wills and Burgoyne as the committee to wait upon the Supreme Court Justices and Appellate Court Judges and Senators Winder and Buckner-Webb and Representatives Eric Anderson and Gannon as the committee to wait upon the Elected Officials and escort them to the House Chamber. The committees were excused.

Mr. Moyle asked unanimous consent that the Speaker appoint a committee to wait upon the Governor and escort him to the House Chamber. There being no objection, it was so ordered.

The Speaker appointed Senators Davis and Stennett and Representatives Moyle and Rusche as the committee to wait upon the Governor and escort him to the House Chamber. The committee was excused.

The committee appointed by the Speaker escorted the Supreme Court Justices and the Appellate Court Judges to the House Chamber where they were presented to the Joint Session.

The committee appointed by the Speaker escorted the Elected Officials to the House Chamber where they were presented to the Joint Session.

The committee appointed by the Speaker escorted the Governor to the House Chamber.

His Excellency, the Governor of the State of Idaho, C.L. "Butch" Otter, was introduced by the Speaker and the following **State of the State Message and Budget Address** was delivered by Governor Otter.

\* \* \* \* \*

Mr. Speaker, Mr. President, Honorable Justices and Judges, my fellow constitutional officers, distinguished legislators and

members of my Cabinet, honored guests, friends, my family and our First Lady ... my fellow Idahoans.

Happy New Year and welcome back to the People's House.

I know you join me in being grateful for the opportunity to continue our work together toward building a solid foundation for Idaho's future. Thank you for inviting me here to report on our progress in advancing the interests of the citizens we serve.

My goal today is to outline and invite your consideration and support for my key proposals in the coming year and beyond.

Before I continue my remarks, please join me in remembering and honoring Specialist Thomas Murach Specialist Mitchell Daehling, Staff Sergeant Octavio Herrera, and Captain David Lyon - the heroic Idahoans who lost their lives during 2013 while protecting our freedoms and way of life - as well as the 177 brave men and women of the Idaho Army and Air National Guard who were deployed in harm's way on our behalf this past year. Thank you.

But we all know that thanks alone are not enough to adequately demonstrate our gratitude to these valiant Idahoans. That's why I recently issued an Executive Order developed with the help of Senator Marv Hagedorn establishing the Idaho Veterans, Servicemembers and Families Coordination Council.

It formalizes a support structure for those Idaho citizens who have served or are serving in the Armed Forces - whether on active duty, in the Reserves, or in the National Guard, as well as their families. They deserve all we can do.

By now you all know that my administration remains committed to limited, transparent and accountable government that enables economic opportunity and empowers citizens to reach their own best potential.

I will not sanction growing our State government as fast as our economy, and I will continue to work for greater efficiency, effectiveness, stability and predictability in fulfilling the proper roles of government. Our shared commitment to those principles has seen us through some tough times, and it remains our best path forward.

Today I will focus my remarks on the highest of our duties as public servants - investing taxpayer dollars in Idaho's future in a way that is targeted, responsible and sustainable.

First - education.

The task force I assembled after the 2012 election to study how best to improve Idaho's public schools did an incredible job. I'm grateful for their service and their continuing commitment to seeing this process through.

The diverse membership effectively put aside politics and personal agendas in developing recommendations that I enthusiastically endorse.

I believe that implementing them will substantially move our policies in the right direction for Idaho's future. That includes making a significant start on a multi-year effort to restore funding to public schools that we withheld during the prolonged economic downturn.

It also involves carefully tracking how effectively taxpayer investments are put to work in our classrooms.

And I'm calling for greater transparency in that process, which should include online reporting of details about how local officials are improving the education experience and outcomes

for students. That in turn will enable parents and patrons to hold teachers, administrators, trustees - and us - more accountable.

Ladies and gentlemen, process matters. Attention to the importance of process is why I appointed a task force representing a broad cross-section of stakeholders to carefully assess our options. Now that group has delivered its findings, and we must be just as careful in how we enact them.

I envision this process being as data-driven and as focused on outcomes as possible.

For that reason it is my preference that we write our fiscal 2015 investment in ink and the out-year investment plans in pencil so that we can better assess the local impacts of that funding.

In assessing those impacts, my task force also recognized the importance of the increased academic rigor we will see by successfully implementing the Idaho Core Standards.

I want to express my appreciation to you for having the courage and foresight to adopt those standards, understanding that meaningful work remains to be done. Senator John Goedde and Representative Reed DeMordaunt have been working with the State Board and the Department of Education to prepare legislation to further clarify the fact that we place the highest importance on the privacy and security of student data. I strongly support that endeavor.

The overarching goal of the task force recommendations is achieving the State Board of Education's benchmark of ensuring at least 60 percent of Idaho citizens between the ages of 25 and 34 have a degree or professional certification by 2020.

That goal and our proposals for achieving it have been enthusiastically embraced by the education community and by employers.

They are being elevated and advanced not only by the Board of Education but also by leaders of both parties as well as our state Workforce Development Council, the Department of Commerce and many other stakeholders throughout Idaho.

Indeed, the task force recommendations and the work that they are already inspiring promise to make the idea of "K-through-12" education obsolete. The standard for Idaho's commitment to education excellence and workforce readiness can perhaps better be characterized as "K-through-Career."

Now, I want that to sink in for just a moment: K-through-Career. It is a straightforward but profound way of describing our goals for building out and maintaining a continuum of education and training opportunities. It is a formula that emphasizes local autonomy and accountability as the keys to success not only for our schools but also for our communities, our economy, and most importantly for our students.

The recommendations put forward by the task force wisely call for locally drafted strategic plans designed to meet local needs while aligning with our statewide objectives. Local school trustees will oversee the implementation of those strategic plans to improve the education of their students, and the State Department of Education will monitor progress to enable local patrons to more effectively hold school districts accountable for meeting their own stated goals.

Those goals could include more comprehensively using technology in the classroom, more aggressively facilitating dual credit programs or more carefully fostering teacher mentoring

efforts. It could mean providing greater focus on science, technology, engineering and math education; early reading competency or any number of other strategies for local success.

Of course, technology will be a critical part of this effort. The task force recommendations make it clear that the best course involves empowering local administrators to acquire whatever devices work best for their own students and in their own classrooms, and then ensuring those devices are accessible to every student.

The funding that you approved last year for school technology grants began that process, which should continue.

But there are two important elements that I want to emphasize to you and to local school officials.

First, I want to make it clear that the buying power of our statewide purchasing process is available to local school districts and may help them obtain the devices they need at better prices.

Second, the Idaho Digital Learning Academy stands ready and is uniquely positioned to provide technical assistance, teacher training and advice on best practices - technically and academically. It can help schools more effectively use those classroom devices, especially in tandem with the Idaho Education Network.

As you know, the IEN already links every Idaho public high school.

And I'm pleased to be able to announce today that, with your continuing support, we expect to have every elementary and middle school in Idaho hooked up to our broadband Internet education system by the end of fiscal 2015.

A network of support also factors prominently into our response to rising concerns about the safety of students and staff in our public schools. With the haunting memories of Newtown, Connecticut still fresh on our minds, local and state officials studied what works across the country and then engaged in a first-of-its-kind multiagency exercise at Burley High School last August.

We've learned a lot about how to identify and address our security challenges, and school districts all over Idaho are benefiting. But in the end I believe one of the most important lessons learned was the absolute necessity of communication and building relationships of trust and support between parents, teachers, school administrators, first responders and law enforcement at every level before an emergency happens.

The Idaho State Police, Bureau of Homeland Security, the Department of Education, the Division of Building Safety and local sheriffs and police departments throughout Idaho are united in their commitment to building those relationships. To help further strengthen that bond, my budget recommendation includes a line item for local pilot projects aimed at improving school safety and security.

The key to building those relationships - to building any relationship - is listening. The Complete College America Alliance that Idaho joined three years ago is based on education leaders listening to what our students need in order to go on to post-secondary education, and what they need to succeed when they get there.

With the help of the Albertson Foundation and the leadership of the State Board of Education, this year we're acting on what we've learned. My budget calls for investing in high-demand programs at each of our four-year institutions. By adding

instructors in targeted areas of study we can help break up the logjam in our universities' upper-division classes so students can keep progressing toward their degrees.

And in response to growing demand, I hope you will help me welcome our new University of Idaho president by approving my recommendation that we expand Dr. Chuck Staben's law school program here in Boise to a second year.

We also must continue investing in the strong collaborative relationship between our universities and the Center for Advanced Energy Studies. That's why my budget calls for adding \$1 million to our annual investment in that facility, which consistently yields incredible returns and value to Idaho's asset portfolio.

Sustaining our support for programs and partnerships at the Idaho National Laboratory is paying off with more career opportunities, as identified by my Leadership in Nuclear Energy or LINE Commission. And there's more progress to come as the INL works with private industry on developing safer, cleaner and more efficient small modular reactors.

Partnerships also are at the heart of efforts to improve our Workforce Development Training Fund program. You can expect to see more targeted use of grants for training employees not just for individual businesses, but for the market-driven growth of industry sectors that add value to Idaho's economy.

My focus on workforce development also includes more support for professional-technical education programs throughout Idaho.

I'm impressed by the work our community colleges are doing - from the new Aerospace Center at North Idaho College to the Applied Technology and Innovation Center being built at the College of Southern Idaho. And they are eager to do more. So I'm asking for both one-time and ongoing investments in an Advanced Manufacturing Initiative at all three of them, plus Idaho State University, Eastern Idaho Technical College and Lewis-Clark State College.

To help ensure affordable educational opportunity beyond high school for more of our citizens, I'm asking you to fund outreach programs in Idaho Falls for the College of Southern Idaho and in Sandpoint for North Idaho College, as well as a nursing initiative at the College of Western Idaho.

Speaking of CWI, I hope you'll forgive my personal pride in the great success that the newest of our community colleges is enjoying. It was born right here in this chamber seven years ago. Its public support, its growth and its synergy with Boise State University and others reflect more than the demand that had built up here in the Treasure Valley. It also reflects the sound judgment of the people of Ada and Canyon counties in investing in their own future. And it speaks to the excellence, responsiveness and accessibility of the product that President Bert Glandon and his team are providing for our citizens.

CWI is the kind of investment in which we all can be justifiably proud.

The same is true of the new Idaho Youth Challenge program in the northern Idaho community of Pierce. This nationally tested and proven model provides at-risk youth with a second chance and the opportunity to learn the values, skills and self-discipline they'll need to be responsible citizens wherever life takes them.

The Idaho National Guard has put together a great plan in Pierce, and its first class of students starts this month. It figures

to grow over time to meet the needs of over 200 students each year.

That's 200 more young Idahoans each year with a second chance to prepare for life. That's 200 more young Idahoans each year with a chance to become productive, contributing members of society. Thank you for giving them that second chance.

And thank you for understanding that responsible management - personal or public - involves preparing for the future. Folks, during the most recent economic downturn we used almost all of the "rainy day" funds we had wisely socked away to avoid interruption or long-term damage to public services, most notably education.

We made the right decision these past two years to begin refilling those accounts, especially in light of the continuing instability in our national government's finances and support.

But we are not yet where we need to be in rebuilding our own fiscal buffer against that uncertainty.

So today I am recommending that \$35 million more be set aside in fiscal 2015 for our Budget Stabilization Fund, another \$29 million in our Public Education Stabilization Fund, and an additional \$7 million in our Higher Education Stabilization Fund.

That's a total of \$71 million toward ensuring our ability to keep on supporting the most important work of the State of Idaho - especially our K-through-Career goals - while striving to improve both in effectiveness and efficiency.

Addressing our education and workforce development needs is my top priority. I'm sure some will argue that the proposals I'm putting forward today are not bold enough, not front-loaded enough or simply not enough. But peaks and valleys are not the best way to manage any enterprise - public or private. These proposed investments are measured, manageable and within our means.

Their sustainability also is critically important to Idaho's competitiveness in the global economy. So while I appreciate your support for the tax relief we've been able to provide these past two years - and while I would love to see a third year - it's also my view that any effort to provide additional tax relief for our citizens must be in the context of advancing our goals for Idaho's education system.

I look forward to having a conversation about the merits of further ratcheting down our marginal income tax rates - both individual and corporate - and increasing the personal property tax exemption from \$100,000 to \$250,000.

But once again, my first priority is investing in what will help us achieve sustainable growth.

Another measure of our shared commitment to fiscal responsibility is the fact that our improving and growing economy has enabled the Idaho Department of Labor to reduce the standard unemployment insurance tax rate by almost 31 percent this year. Thanks to the great work of recently retired Director Roger Madsen and his team, the reduction will save tens of thousands of Idaho employers almost \$75 million in 2014.

That in turn will benefit us all by enabling those businesses to expand, improve and create Idaho jobs.

As our unemployment rate drops and demand keeps growing for skilled employees, the importance of workforce development and achieving our K-through-Career goals comes into sharper focus.

Another of my goals as Governor is to advance opportunities for outstanding Idahoans to play a bigger role in every aspect of our State government - from my Cabinet to the courts. I want the best people representing their neighbors. That's why I appreciate Peggy Grover of Rexburg, who I recently appointed to the Idaho Potato Commission. She's the first woman to serve on the commission in its long history.

And she brings passion, professionalism and an invaluable perspective to the marketing of Idaho's most famous commodity.

Please join me in congratulating her on this historic achievement.

Speaking of achievements, last year I told you we were approaching one of the economic development benchmarks with which I'm sure you are familiar - Project 60. Well, as of the fourth quarter of 2013, Idaho's overall economic activity was on a \$60 billion-a-year pace. In fact, our forecast gross domestic product for 2014 is \$62 billion.

But that is not the end of our aspirations for Idaho's economy. Project 60 was only a temporary milestone - a symbol of our commitment to statewide progress and prosperity.

As we celebrate this success, we will continue aspiring to higher goals for Idaho's future. We will focus on making targeted investments, creating skilled talent pools for our industries, expanding career opportunities for our citizens, and continuing our relentless efforts to drive down the costs of doing business.

Over the past couple of years, one region of Idaho has enjoyed particularly compelling success.

People all over the state have been asking me, "What's happening in the Magic Valley? What are they doing, and how can we do it too?" What do big employers like Chobani, Glanbia, McCain Foods, Monsanto, Frulact and Cliff Bar see in the people and possibilities of south-central Idaho?

Well folks, let me tell you, what some might consider the Magic Valley Miracle is something that every part of Idaho has the ability to emulate - leveraging our assets and resources in a way that adds value to our products and services in the marketplace.

From the city councils to the county commissions, from the urban renewal areas to the economic development organization, and from local highway districts to the Governor's office - the Magic Valley is committed to planning and working together toward the shared goal of raising the tide of economic activity in a way that lifts everyone's boat.

As Commerce Director Jeff Sayer likes to say about his agency, we "move at the speed of business" and put a premium on being exceptionally responsive to market opportunities. It's a template we're following, and an approach that Director Sayer and all our state agencies are continuing to build out statewide.

Together they are strengthening our workforce and infrastructure capabilities to help create the unlimited opportunity that's elevating Idaho as a destination for success for such growing employers as Curtiss Wright-Sciencetech and Melaleuca in Idaho Falls, Plexus in Nampa and Involtia in Boise.

While we work aggressively toward achieving our own Idaho goals, we also are responsible for ensuring Idaho's voice and values are reflected in how national policies are implemented here in our state. Please accept my thanks once again for enabling us to at least be the project managers if not the architects of

our own destiny in establishing a state-based health insurance exchange last year.

We continue working through the technology and policy implementation challenges imposed upon us by the national government and aggravated by our own early missteps. But I believe we are on the right path toward having our own technology in place, and I remain confident that our experience within the difficult context of Obamacare will continue to improve.

Because of your support, we retain our options and our opportunities for making the process and the outcomes better for Idaho citizens. I know the public debate will continue, but let me reassure you that we are far better off engaged than we would be on the sidelines.

I am equally convinced that we are doing the right thing by continuing to carefully study and learn from the experience of other states when it comes to Medicaid expansion. I appreciate the passion with which advocates both public and private seek our approval for expanding that program. I also appreciate the gravity of what some consider "leaving money on the table" for early financial support of expansion.

My concerns continue to be with the stability and sustainability of that federal support, and the risk of leaving Idaho taxpayers holding the bag for growing an entitlement that we simply can't afford as it's now structured.

Department of Health and Welfare Director Dick Armstrong and his team are closely tracking Medicaid expansion rollouts in states like Arkansas, Indiana and Iowa to learn where we can refine our own system so that care is more carefully focused on prevention, outcomes, and living within our means.

I repeat the commitment I made to legislative leaders soon after the U.S. Supreme Court found much of Obamacare constitutional in 2012 - I will not advance Idaho's role in that law's implementation without your advice and consent.

On the issue of Medicaid expansion, we should not jump into the deep end without knowing what's on the bottom. We must not risk our other priorities on the prospect of long-term support from a federal government that has not proven it can responsibly manage our money. So for this year, and until we are better positioned and prepared to succeed on our own terms, my answer remains no.

At the same time, Director Armstrong has proposed and I am seeking your support for a plan to begin systematically addressing another of our health challenges.

Routinely in Idaho, people with any combination of mental health and substance abuse issues are taken to local emergency rooms or county jails when their condition or behavior puts them or others at risk. Now, we all know how expensive an emergency room visit can be, and we can understand the frustration for individuals and their loved ones from repeatedly dealing with crises but not the underlying illness or addiction.

The Department of Health and Welfare is seeking start-up funding to develop three regional behavioral health crisis centers in Idaho Falls, Coeur d'Alene and Boise to serve area communities 24/7. The goal is to build community partnerships for long-term sustainability. The crisis centers can be modeled on the best practices of other states where such plans have been successful. And based on our own outcomes, efficiencies and partnerships, we can then discuss expanding the program to other regions of Idaho in the coming years.

Folks, this can work. The response to such programs elsewhere has been encouraging, and communities have been more than willing to join in these investments as they see declines in use of local emergency rooms, hospital beds and jail cells.

Now I want to draw your attention to another proposal aimed at sustainability - this one involving our most precious natural resource. The Idaho Water Resource Board and local water districts and associations throughout Idaho have been working hard to more actively and effectively manage the Eastern Snake River Plain Aquifer and other surface and underground water sources throughout Idaho for greater long-term stability. My budget recommendation includes \$15 million in one-time spending for specific water supply improvement projects from Mountain Home to Rathdrum and from Island Park to Arrowrock.

It is a critical investment in our capacity for responsible future growth.

One form of growth we don't want to encourage is in the wolf population that was imposed on Idaho almost 20 years ago. With your unflinching support, we were able to fight through the opposition of those who would make Idaho into a restricted-use wildlife refuge and take back control of these predators from our federal landlords.

We're managing them now, and they're a trophy hunting species. But the population is still growing, and our resources remain at risk. So I'm calling for establishment of a Wolf Control Fund and a State board to direct and manage it. My budget recommendation calls for a one-time allocation of \$2 million to get the fund started. That base then would be augmented with continuing annual contributions of \$110,000 from the livestock industry and a matching amount from Idaho sportsmen.

This three-pronged approach will provide the revenue needed to more effectively control Idaho's burgeoning wolf population and ease the impact on our livestock and wildlife.

Our wild and domestic herds already are benefiting from a step you took last year, and for which I'm grateful. Your agreement to provide seed money for the organization of four rangeland wildfire protection associations is paying off in spades.

In the midst of a bad 2013 forest fire season, Idaho wildfires overall burned 1 million fewer acres than in 2012, and the cost of fighting those wildfires was reduced by \$90 million.

That's thanks in part to the collaborative work of ranchers and other stewards of the range whose devotion to protecting the land where they live and work and willingness to roll up their sleeves is saving resources and lives. This also is an instance in which we are working effectively with a federal agency. Cooperation between the Bureau of Land Management and our own Department of Lands has been critical to training and equipping our local fire protection groups.

I anticipate this program expanding as more people see its proven benefits. It's a model of how we can work together in pursuit of our shared interests.

Unfortunately, that kind of relationship too often is either missing or unreliable in our dealings with the national government.

With the support of Idaho stakeholders, I submitted a commonsense management plan to prevent the need for listing the sage-grouse under the Endangered Species Act. Idaho's plan also ensures continued multiple-use of these federal lands, provides

predictability for our ranchers and facilitates construction of a badly needed electrical transmission line across southern Idaho.

I've been assured that Idaho will have a seat at the table in crafting a solution to the sage-grouse issue, and I will hold federal officials to that commitment.

I encourage your continuing support for our efforts to engage Washington, D.C. on a whole range of issues that impact how our people live, work, build and pursue their dreams here in Idaho.

My friends, I firmly believe that the kind of conservative, sustainable policies I've outlined today are the best way to protect our traditional values while strengthening the foundation of our future. They are the product of tested, proven leadership that both honors and reflects our confidence in the people we serve.

Our path is as straightforward but as challenging as living within our means.

It is as simple but as complex as making government better without growing it bigger. It will require us to put aside partisanship and personal ambition in the public interest. And in this even-numbered year it will demand of us - as I've said before - a willingness to look beyond the next election to Idaho's next generation.

Here in Idaho, let us work together to make our State government more about building partnerships for growth and less about imposing limits on opportunity.

That's my hope and my goal as your Governor, for this session and beyond. More importantly, it is our shared charge and our sworn responsibility as public servants.

I look forward to your response and to reviewing the fruit of your labors in the days and weeks ahead.

Good luck, Godspeed, and may God continue to bless America and the Great State of Idaho.

Thank you.

\* \* \* \* \*

The Speaker thanked Governor Otter.

The committee appointed to wait upon the Governor came forward and escorted him from the House Chamber and was, on its return, thanked and discharged by the Speaker.

The committee appointed to wait upon the Supreme Court Justices and the Appellate Court Judges came forward and escorted them from the House Chamber and was, on its return, thanked and discharged by the Speaker.

The committee appointed to wait upon the Elected Officials came forward and escorted them from the House Chamber and was, on its return, thanked and discharged by the Speaker.

Mr. Moyle moved that the Governor's State of the State Message and Budget Address be printed in both the House and Senate Journals. Seconded by Mr. Rusche.

The question being, "Shall the motion carry?"

Whereupon the Speaker declared the motion carried by voice vote and ordered the Governor's State of the State Message and Budget Address printed in both the House and Senate Journals.

Mr. Moyle moved that the Joint Session be dissolved. Seconded by Mr. Rusche. Motion carried.

The Senate returned to its Chamber.

### **Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Tuesday, January 7, 2014. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 1:57 p.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk



# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SECOND LEGISLATURE

SECOND LEGISLATIVE DAY  
TUESDAY, JANUARY 7, 2014

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 65 members present.

Absent – Barbieri, Eskridge, Luker. Total – 3.

Total – 68\*.

\*House Seats 15B and 18A are vacant.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Kami Elorrieta, Page.

### Approval of Journal

January 7, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the First Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

### Consideration of Messages from the Governor and the Senate OFFICE OF THE GOVERNOR Boise

January 6, 2014

The Honorable Scott Bedke  
Speaker of the House

As required by Section 57-1601, *Idaho Code*, I am transmitting the following report of the Governor's Emergency Fund for fiscal years 2013 and 2014.

**Balance as of July 1, 2012** **83,744,48**

No activity in fiscal year 2013

**Balance as of June 30, 2013** **83,744,48**

No activity year-to-date in fiscal  
year 2014

**Balance as of December 31, 2013** **83,744,48**

As Always - Idaho, "Esto Perpetua"  
/s/ C.L. "Butch" Otter  
Governor

The correspondence was ordered filed in the office of the Chief Clerk.

January 6, 2014

Mr. Speaker:

I return herewith [HCR 37](#) which has passed the Senate.

NOVAK, Secretary

[HCR 37](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

January 7, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HR 4](#).

WILLS, Chairman

[HR 4](#) was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

Mr. Moyle moved that the following persons be approved as attaches to serve the House of Representatives for and during the Second Regular Session of the Sixty-second Idaho Legislature. Seconded by Mr. Rusche.

Chief Clerk of the House .....	Bonnie Alexander
Legislative Aide .....	Ashley Brewer
Chaplain .....	Tom Dougherty
Legislative Aide .....	Cathy Downs
Majority Pool Secretary .....	Amber Duke
Chief Fiscal Officer .....	Terri Franks-Smith
Sergeant at Arms .....	Claudia Howell
Journal Clerk .....	Carrie Maulin
Assistant to the Speaker .....	MaryLou Molitor
Minority Chief of Staff .....	Shelby Scott
Assistant Sergeant at Arms .....	Robert Stewart
Assistant Chief Clerk .....	Chris Taylor
Majority Leadership Secretary .....	Kristen Weitz
Secretarial Supervisor .....	Susan Werlinger

### Committee Secretaries:

Environment, Energy, & Technology .....	Kaela Becklund
Judiciary, Rules, & Administration .....	Francoise Cleveland
Business .....	Catherine Costner
Ways & Means .....	Lisa Hamlin
Health & Welfare .....	Irene Moore
Transportation & Defense .....	Linda Mott
State Affairs .....	Kasey Perkins
Agricultural Affairs .....	Angela Sandoval
Revenue & Taxation .....	Kathleen Simko
Resources & Conservation .....	Jennifer Smith

Commerce & Human Resources ..... Mary Tipps  
Local Government ..... Mary Tipps  
Education ..... Jean Vance  
Appropriations ..... Kathryn Yost

Pages:

Kami Elorrieta	Julia Garcia
Sara Garcia	Julia Horman
Marija Kozomara	Katelyn Manker
Tahj McDaniel	Anthony Sein
Austin Sheffey	Abigail Shepherd
Jake Wright	

Whereupon the Speaker declared the motion carried by voice vote and administered the oath of office to the above named attaches.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Wednesday, January 8, 2014. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:11 a.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SECOND LEGISLATURE

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**THIRD LEGISLATIVE DAY  
WEDNESDAY, JANUARY 8, 2014**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 65 members present.

Absent – Barbieri, Barrett, Luker. Total – 3 .

Total – 68\*.

\*House Seats 15B and 18A are vacant.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Tahj McDaniel, Page.

### Approval of Journal

January 8, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Second Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

### Report of Standing Committees

January 8, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [HCR 37](#).

WILLS, Chairman

The Speaker announced he was about to sign enrolled [HCR 37](#) and, when so signed, ordered it transmitted to the Senate for the signature of the President.

There being no objection, the House advanced to the Tenth Order of Business.

### Second Reading of Bills and Joint Resolutions

[HR 4](#), by Moyle and Rusche, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Thursday, January 9, 2014. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:10 a.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SECOND LEGISLATURE

FOURTH LEGISLATIVE DAY  
THURSDAY, JANUARY 9, 2014

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent – Barbieri. Total – 1.

Total – 69\*.

\*House Seat 15B vacant.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Abigail Shepherd, Page.

### Approval of Journal

January 9, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Third Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

### Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR

### CERTIFICATE OF APPOINTMENT

**KNOW ALL MEN**, that pursuant to the provisions of Section 59-904A, Idaho Code, the District 18 Legislative Committee of the Democratic Party has submitted a list of three names for consideration in filling a vacancy in the Idaho House of Representatives.

**NOW, THEREFORE, I, C.L. "BUTCH" OTTER**, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint ILANA S. RUBEL of Boise, Idaho, to the office of State Representative, District 18, Seat A, for a term commencing January 8, 2014, and continuing until the term of office expires.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 8th day of January in the year of our Lord two thousand and fourteen, and of the Independence of the United States of America, the two hundred and thirty-eighth year, and of the Statehood of Idaho the one hundred and twenty-fourth year.

/s/ C.L. "BUTCH" OTTER

Governor

/s/ BEN T. YSURSA

Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Ms. Rubel.

There being no objection, the House advanced to the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

#### HR 4 - HOUSE ATTACHES - COMPENSATION

HR 4 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall HR 4 be adopted?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson(Chambers), Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 68.

NAYS – None.

Absent – Barbieri. Total – 1.

Total – 69.

Whereupon the Speaker declared HR 4 adopted and ordered the resolution filed in the office of the Chief Clerk.

There being no objection, the House advanced to the Thirteenth Order of Business.

### Miscellaneous and Unfinished Business

Representative Ilana Rubel was appointed to the Education, and Resources and Conservation Committees.

#### EDUCATION (16)

DeMordaunt, Chairman

Nielsen, Vice Chairman

Shepherd

Wills

Bateman

Boyle

Agidius

Clow

Gestrin

Harris

Pence

Kloc

Rubel

Horman  
Mendive  
VanOrden

**RESOURCES AND CONSERVATION (18)**

Denney, Chairman  
Gibbs, Vice Chairman

Wood(35)  
Barrett  
Moyle  
Eskridge  
Raybould  
Andrus  
Shepherd  
Wood(27)  
Boyle  
Vander Woude  
Gestrin  
Miller  
Anderson(1)

Pence  
Erpelding  
Rubel

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 8 a.m., Friday, January 10, 2014. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:11 a.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

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# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SECOND LEGISLATURE

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**FIFTH LEGISLATIVE DAY  
FRIDAY, JANUARY 10, 2014**

House of Representatives

The House convened at 8 a.m., Mr. Moyle in the Chair.

Roll call showed 56 members present.

Absent – Agidius, Anderson(01), Barbieri, Barrett, Chew, Gannon, Loertscher, Malek, Nielsen, Rubel, Rusche, Wood(35), Mr. Speaker. Total – 13.

Total – 69\*.

\*House Seat 15B vacant.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Julia Garcia, Page.

### Approval of Journal

January 10, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fourth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

### Consideration of Messages from the Governor and the Senate

January 9, 2014

Mr. Speaker:

I return herewith enrolled [HCR 37](#) which has been signed by the President.

NOVAK, Secretary

Enrolled [HCR 37](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

There being no objection, the House advanced to the Eighth Order of Business.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 346 BY BUSINESS COMMITTEE AN ACT

RELATING TO THE LANDSCAPE ARCHITECT REGISTRATION AND LICENSING ACT; AMENDING SECTION 54-3002, IDAHO CODE, TO REVISE A DEFINITION.

#### HOUSE BILL NO. 347 BY BUSINESS COMMITTEE AN ACT

RELATING TO THE IDAHO REAL ESTATE APPRAISERS ACT; AMENDING SECTION 54-4106, IDAHO CODE, TO PROVIDE AN ADDITIONAL POWER AND DUTY OF THE REAL ESTATE APPRAISER BOARD.

[H 346](#) and [H 347](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Crane moved that the House adjourn until 11 a.m., Monday, January 13, 2014. Seconded by Mr. Burgoyne. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 8:07 a.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

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## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SECOND LEGISLATURE

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**EIGHTH LEGISLATIVE DAY  
MONDAY, JANUARY 13, 2014**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed all 69 members present.

\*House Seat 15B vacant

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Marija Kozomara, Page.

There being no objection, the House advanced to the Fifth Order of Business.

### Report of Standing Committees

#### Approval of Journal

January 13, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

January 13, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 346](#) and [H 347](#).

WILLS, Chairman

[H 346](#) and [H 347](#) were referred to the Business Committee.

January 13, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [HCR 37](#) to the Secretary of State at 8:16 a.m., January 10, 2014.

WILLS, Chairman

There being no objection, the House advanced to the Eighth Order of Business.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

**HOUSE BILL NO. 348  
BY HEALTH AND WELFARE COMMITTEE  
AN ACT**

RELATING TO UNIFORM CONTROLLED SUBSTANCES; AMENDING SECTION 37-2726, IDAHO CODE, TO PROVIDE THAT A RECIPIENT OF A DISPENSED CONTROLLED SUBSTANCE OR THE RECIPIENT'S DESIGNEE SHALL HAVE ACCESS TO CERTAIN PRESCRIPTION MONITORING PROGRAM DATA UPON PRODUCTION OF CERTAIN INFORMATION.

**HOUSE BILL NO. 349  
BY HEALTH AND WELFARE COMMITTEE  
AN ACT**

RELATING TO UNIFORM CONTROLLED SUBSTANCES; AMENDING SECTION 37-2709, IDAHO CODE, TO REVISE THE LIST OF SCHEDULE III UNIFORM CONTROLLED SUBSTANCES; AND AMENDING SECTION 37-2711, IDAHO CODE, TO REVISE THE LIST OF SCHEDULE IV UNIFORM CONTROLLED SUBSTANCES.

**HOUSE BILL NO. 350  
BY HEALTH AND WELFARE COMMITTEE  
AN ACT**

RELATING TO THE BOARD OF PHARMACY; AMENDING SECTION 54-1723A, IDAHO CODE, TO REVISE A PROVISION RELATING TO REGISTRATION TO PRACTICE AS A PHARMACIST; AMENDING SECTION 54-1729, IDAHO CODE, TO REVISE A PROVISION RELATING TO REQUIREMENTS FOR A DRUG OR DEVICE OUTLET DOING BUSINESS IN THIS STATE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1752, IDAHO CODE, TO ADD A DEFINITION AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 54-1754, IDAHO CODE, TO REVISE A PROVISION RELATING TO WHOM A MANUFACTURER OR WHOLESALE DISTRIBUTOR MAY FURNISH PRESCRIPTION DRUGS OR SCHEDULED CONTROLLED SUBSTANCES.

**HOUSE BILL NO. 351  
BY HEALTH AND WELFARE COMMITTEE  
AN ACT**

RELATING TO MEDICAL ASSISTANCE; AMENDING SECTION 56-254, IDAHO CODE, TO REVISE PROVISIONS RELATING TO PERSONS WHO ARE ELIGIBLE FOR A MANAGED CARE PLAN OR PLANS.

**HOUSE BILL NO. 352  
BY HEALTH AND WELFARE COMMITTEE  
AN ACT**

RELATING TO PUBLIC ASSISTANCE; AMENDING SECTION 56-237, IDAHO CODE, TO REVISE A PROVISION RELATING TO GROSS INCOME; AMENDING SECTION 56-238, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 56-239, IDAHO CODE, TO REVISE A PROVISION RELATING TO GROSS INCOME AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 56-240, IDAHO CODE, RELATING TO THE CHILDREN'S ACCESS CARD PROGRAM; AMENDING SECTION 56-241, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT SHALL LIMIT CERTAIN ASSISTANCE TO THOSE WHO DO NOT HAVE ACCESS TO COMPARABLE OR BETTER COVERAGE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 56-242, IDAHO CODE, TO REMOVE REFERENCE TO THE CHILDREN'S ACCESS CARD PROGRAM, TO PROVIDE THAT THE DEPARTMENT SHALL LIMIT CERTAIN ASSISTANCE TO THOSE WHO

DO NOT HAVE ACCESS TO COMPARABLE OR BETTER COVERAGE AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 353**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO THE CHILDREN'S TRUST FUND; AMENDING SECTION 39-6001, IDAHO CODE, TO REMOVE REFERENCE TO APPOINTMENT OF THE INITIAL BOARD MEMBERS AND TO REVISE PROVISIONS RELATING TO SERVICE AND REMOVAL OF BOARD MEMBERS; AMENDING SECTION 39-6002, IDAHO CODE, TO AUTHORIZE EXPANSION OF THE BOARD'S ABILITY TO CARRY OUT THE PURPOSE OF THE CHILDREN'S TRUST FUND, TO AUTHORIZE THE EMPLOYMENT OF AN EXECUTIVE DIRECTOR, TO AUTHORIZE THE BOARD TO CONTRACT FOR SERVICES DEEMED NECESSARY, TO REVISE TERMINOLOGY RELATED TO RULEMAKING AND TO AUTHORIZE THE BOARD TO SOLICIT AND ACCEPT GRANTS, DONATIONS, GIFTS AND OTHER MONEYS; AMENDING SECTION 39-6003, IDAHO CODE, TO REVISE A PROVISION RELATING TO MONEYS APPROPRIATED BY THE LEGISLATURE USED FOR SALARIES AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 39-6007, IDAHO CODE, TO PROVIDE THAT OTHER MONEYS FROM OUTSIDE SOURCES SHALL BE INCLUDED IN THE CHILDREN'S TRUST FUND AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 354**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO COUNSELORS AND THERAPISTS; AMENDING SECTION 54-3404, IDAHO CODE, TO GRANT THE IDAHO STATE LICENSING BOARD OF PROFESSIONAL COUNSELORS AND MARRIAGE AND FAMILY THERAPISTS THE POWER TO ESTABLISH BY RULE THE STANDARDS AND REQUIREMENTS FOR THE USE OF COMMUNICATION TECHNOLOGY IN THE PRACTICE OF COUNSELING AND MARRIAGE AND FAMILY THERAPY.

**HOUSE BILL NO. 355**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO THE SOCIAL WORK LICENSING ACT; AMENDING SECTION 54-3204, IDAHO CODE, TO GRANT THE STATE BOARD OF SOCIAL WORK EXAMINERS THE POWER TO ESTABLISH BY RULE THE STANDARDS AND REQUIREMENTS FOR THE USE OF COMMUNICATION TECHNOLOGY IN THE PRACTICE OF SOCIAL WORK.

**HOUSE BILL NO. 356**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO PODIATRISTS; AMENDING SECTION 54-604, IDAHO CODE, TO REMOVE OBSOLETE PROVISIONS AND TO REVISE PROVISIONS RELATING TO THE STATE BOARD OF PODIATRY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-605, IDAHO CODE, TO REVISE PROVISIONS AND TO ESTABLISH ADDITIONAL PROVISIONS RELATING TO THE POWERS AND DUTIES OF THE STATE BOARD OF PODIATRY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-606, IDAHO CODE, TO REVISE

PROVISIONS RELATING TO AN EXAMINATION FOR A PODIATRIST LICENSE AND RELATED FEE, TO REMOVE PROVISIONS RELATING TO REEXAMINATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-607, IDAHO CODE, TO REVISE PROVISIONS RELATING TO AN ORIGINAL LICENSE FEE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-608, IDAHO CODE, TO PROVIDE AN ADDITIONAL GROUND FOR DISCIPLINE OF A LICENSE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 54-610, IDAHO CODE, TO REVISE A CATCHLINE AND TO REMOVE CERTAIN PROVISIONS RELATING TO PROCEEDINGS FOR SUSPENSION, REVOCATION OR OTHER DISCIPLINE OF A LICENSE.

**HOUSE BILL NO. 357**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO THE SPEECH AND HEARING SERVICES PRACTICE ACT; AMENDING SECTION 54-2909, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A QUORUM.

[H 348](#), [H 349](#), [H 350](#), [H 351](#), [H 352](#), [H 353](#), [H 354](#), [H 355](#), [H 356](#), and [H 357](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Tuesday, January 14, 2014. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:13 a.m.

SCOTT BEDKE, Speaker

ATTEST:  
BONNIE ALEXANDER, Chief Clerk



# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SECOND LEGISLATURE

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**NINTH LEGISLATIVE DAY  
TUESDAY, JANUARY 14, 2014**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent – Bell, Burgoyne. Total – 2.

Total – 69\*.

\*House Seat 15B vacant

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Anthony Sein, Page.

### Approval of Journal

January 14, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

### Report of Standing Committees

January 14, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 348](#), [H 349](#), [H 350](#), [H 351](#), [H 352](#), [H 353](#), [H 354](#), [H 355](#), [H 356](#), and [H 357](#).

WILLS, Chairman

[H 348](#), [H 349](#), [H 350](#), [H 351](#), [H 352](#), [H 353](#), [H 354](#), [H 355](#), [H 356](#), and [H 357](#) were referred to the Health and Welfare Committee.

There being no objection, the House advanced to the Eighth Order of Business.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 358 BY BUSINESS COMMITTEE

AN ACT

RELATING TO RISK-BASED CAPITAL FOR INSURERS; AMENDING SECTION 41-5401, IDAHO

CODE, TO ADD AND REVISE DEFINITIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 41-5402, IDAHO CODE, TO PROVIDE FOR OTHER ENTITIES THAT MUST FILE RBC REPORTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-5403, IDAHO CODE, TO PROVIDE FOR OTHER ENTITIES SUBJECT TO A COMPANY ACTION LEVEL EVENT, TO REVISE EVENTS, TO PROVIDE ADDITIONAL DETAIL FOR AN RBC PLAN AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-5406, IDAHO CODE, TO PROVIDE FOR OTHER ENTITIES WHO ARE SUBJECT TO ACTION BY THE DIRECTOR FOLLOWING A MANDATORY CONTROL LEVEL EVENT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-5408, IDAHO CODE, TO CLARIFY THE PROTECTIONS AFFORDED CONFIDENTIAL RBC DOCUMENTS AND INFORMATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-5409, IDAHO CODE, TO REVISE EXEMPTIONS; AMENDING SECTION 41-3239, IDAHO CODE, TO PROVIDE A CODE REFERENCE; AMENDING SECTION 41-3434, IDAHO CODE, TO PROVIDE A CODE REFERENCE; AND PROVIDING AN EFFECTIVE DATE.

#### HOUSE BILL NO. 359 BY BUSINESS COMMITTEE AN ACT

RELATING TO DRIVING BUSINESSES; AMENDING SECTION 54-5403, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DRIVING BUSINESS LICENSURE BOARD AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-5406, IDAHO CODE, TO REMOVE AN EFFECTIVE DATE AND TO PROVIDE THAT AN APPRENTICESHIP REQUIREMENT MAY BE WAIVED UNDER CERTAIN CIRCUMSTANCES; AND DECLARING AN EMERGENCY.

#### HOUSE BILL NO. 360 BY BUSINESS COMMITTEE AN ACT

RELATING TO ARCHITECTS; AMENDING SECTION 54-302, IDAHO CODE, TO REMOVE A CERTAIN REQUIREMENT OF PERSONS APPLYING FOR AN ARCHITECTURE LICENSE EXAMINATION; AMENDING SECTION 54-303, IDAHO CODE, TO REVISE PROVISIONS RELATING TO REGULAR EXAMINATIONS; AMENDING SECTION 54-305, IDAHO CODE, TO PROVIDE ADDITIONAL GROUNDS FOR DISCIPLINE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-307, IDAHO CODE, TO REMOVE LICENSING PROVISIONS FOR FIRM NAMES; AMENDING SECTION 54-308, IDAHO CODE, TO REVISE PROVISIONS RELATING TO LICENSED ARCHITECTS' SEALS; AND REPEALING SECTION 54-316, IDAHO CODE, RELATING TO FOREIGN PARTNERSHIP AND CORPORATE PRACTICE.

[H 358](#), [H 359](#), and [H 360](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Wednesday, January 15, 2014. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:09 a.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SECOND LEGISLATURE

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TENTH LEGISLATIVE DAY  
WEDNESDAY, JANUARY 15, 2014

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent – Erpelding. Total – 1.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Jake Wright, Page.

### Approval of Journal

January 15, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Ninth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

### Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR

### CERTIFICATE OF APPOINTMENT

**KNOW ALL MEN**, that pursuant to the provisions of Section 59-904A, Idaho Code, the District 15 Legislative Committee of the Republican Party has submitted a list of three names for consideration in filling a vacancy in the Idaho State House of Representatives.

**NOW, THEREFORE, I, C.L. "BUTCH" OTTER**, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint PATRICK E. MCDONALD of Boise, Idaho, to the office of State Representative, District 15, Seat B, for a term commencing January 14, 2014, and continuing until the next general election when the term of office expires.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 14th day of January in the year of our Lord two thousand and fourteen, and of the Independence of the United States of America, the two hundred and thirty-eighth year, and of the Statehood of Idaho the one hundred and twenty-fourth year.

/s/ C.L. "BUTCH" OTTER

Governor

/s/ BEN T. YSURSA

Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Mr. McDonald.

### Report of Standing Committees

January 15, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 358](#), [H 359](#), and [H 360](#).

WILLS, Chairman

[H 358](#), [H 359](#), and [H 360](#) were referred to the Business Committee.

There being no objection, the House advanced to the Eighth Order of Business.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 361 BY EDUCATION COMMITTEE

AN ACT

RELATING TO PROPRIETARY SCHOOLS; AMENDING SECTION 33-2406, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A CONDITION OF REGISTRATION AND TO PROVIDE FOR AN EXEMPTION.

#### HOUSE BILL NO. 362 BY EDUCATION COMMITTEE

AN ACT

RELATING TO THE STATE COMMUNITY COLLEGE ACCOUNT; AMENDING SECTION 33-2139, IDAHO CODE, TO PROVIDE THAT CERTAIN DISBURSEMENTS MAY BE ORDERED BY THE STATE BOARD OF EDUCATION AND TO MAKE TECHNICAL CORRECTIONS.

#### HOUSE BILL NO. 363 BY BUSINESS COMMITTEE

AN ACT

RELATING TO COSMETICIANS; AMENDING SECTION 54-804, IDAHO CODE, TO PROVIDE AN ADDITIONAL INSTANCE IN WHICH THE PROVISIONS OF CHAPTER 8, TITLE 54, IDAHO CODE, DO NOT APPLY; AMENDING SECTION 54-807, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE PRACTICE OF LICENSED APPRENTICES; AND AMENDING SECTION 54-829, IDAHO CODE, TO REMOVE A REQUIREMENT THAT NO MEMBER OF THE IDAHO BOARD OF COSMETOLOGY BE AFFILIATED WITH A SCHOOL OF COSMETOLOGY AND TO MAKE TECHNICAL CORRECTIONS.

#### HOUSE BILL NO. 364 BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO TAXATION OF MOTOR FUELS; REPEALING SECTION 63-2411, IDAHO CODE, RELATING TO PURCHASE OF FUEL BY RETAIL DEALERS; AND

AMENDING SECTION 63-2443, IDAHO CODE, TO REVISE THE VIOLATIONS AND PENALTIES PROVISIONS OF THE MOTOR FUELS TAX LAW.

**HOUSE BILL NO. 365**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
AN ACT

RELATING TO EMERGENCY COMMUNICATIONS; AMENDING SECTION 31-4815, IDAHO CODE, TO AUTHORIZE THE ADJUTANT GENERAL TO SELECT EMERGENCY COMMUNICATIONS COMMITTEE BOARD MEMBERS; AMENDING SECTION 46-1207, IDAHO CODE, TO AUTHORIZE THE ADJUTANT GENERAL TO CONCUR WITH THE STATEWIDE INTEROPERABILITY EXECUTIVE COUNCIL'S CREATION OF ADMINISTRATIVE POSITIONS; AMENDING SECTION 46-1209, IDAHO CODE, TO AUTHORIZE THE ADJUTANT GENERAL TO SELECT THE CHAIRMAN; AMENDING SECTION 46-1211, IDAHO CODE, TO AUTHORIZE THE ADJUTANT GENERAL TO SELECT CERTAIN BOARD MEMBERS; AND AMENDING SECTION 46-1212, IDAHO CODE, TO AUTHORIZE THE ADJUTANT GENERAL TO APPROVE OF AND SELECT A REPLACEMENT FOR CERTAIN BOARD MEMBERS.

**HOUSE BILL NO. 366**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
AN ACT

RELATING TO THE NATIONAL GUARD; AMENDING SECTION 46-605, IDAHO CODE, TO REMOVE REFERENCE TO PAY OF FIFTY-FIVE DOLLARS PER DAY WHILE ON ACTIVE DUTY IN THE SERVICE OF THE STATE.

**HOUSE BILL NO. 367**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
AN ACT

RELATING TO THE NATIONAL GUARD; AMENDING SECTION 46-604, IDAHO CODE, TO PROVIDE CIRCUMSTANCES WHEN THE IDAHO NATIONAL GUARD AND THE IDAHO MILITARY DIVISION SHALL BE DEEMED A STATE LAW ENFORCEMENT AGENCY AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 368**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO THE LEGISLATURE; AMENDING CHAPTER 4, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-402A, IDAHO CODE, TO PROVIDE THAT NO PERSON SHALL SERVE IN THE LEGISLATURE WHILE HOLDING OTHER ELECTIVE OFFICE; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 369**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO INCOME TAXATION; AMENDING SECTION 63-3015, IDAHO CODE, TO REVISE CRITERIA FOR DETERMINING THE RESIDENCY OF AN ESTATE OR TRUST AND TO MAKE A TECHNICAL CORRECTION; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 370**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO CIGARETTE TAXES; AMENDING SECTION 63-2511, IDAHO CODE, TO REMOVE REFERENCE TO VENDING MACHINE OPERATORS; AMENDING SECTION 63-2516, IDAHO CODE, TO PROVIDE THAT ANY REFERENCE TO TAXABLE YEAR IN THE INCOME TAX ACT SHALL BE, FOR THE PURPOSES OF THE CIGARETTE TAX ACT, CONSIDERED A TAXABLE PERIOD; AND AMENDING SECTION 63-2563, IDAHO CODE, TO PROVIDE THAT ANY REFERENCE TO TAXABLE YEAR IN THE INCOME TAX ACT SHALL BE, FOR THE PURPOSES OF THE CIGARETTE TAX ACT, CONSIDERED A TAXABLE PERIOD.

[H 361](#), [H 362](#), [H 363](#), [H 364](#), [H 365](#), [H 366](#), [H 367](#), [H 368](#), [H 369](#), and [H 370](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Thirteenth Order of Business.

**Miscellaneous and Unfinished Business**

Representative McDonald was appointed to the Education, Judiciary Rules and Administration, and Transportation and Defense Committees.

**EDUCATION (16)**

DeMordaunt, Chairman  
Nielsen, Vice Chairman

Shepherd  
Wills  
Bateman  
Boyle  
Clow  
Gestrin  
Harris  
Horman  
Mendive  
VanOrden  
McDonald

Pence  
Kloc  
Rubel

**JUDICIARY, RULES, AND ADMINISTRATION (17)**

Wills, Chairman  
Luker, Vice Chairman

Nielsen  
Bolz  
Bateman  
McMillan  
Perry  
Sims  
Dayley  
Horman  
Malek  
Packer  
Trujillo  
McDonald

Burgoyne  
Meline  
Ringo

**TRANSPORTATION AND DEFENSE (17)**

Palmer, Chairman  
Shepherd, Vice Chairman

Wood(35)  
Wills  
Bateman  
Henderson  
Denney  
Gestrin  
Gibbs  
Hixon  
Kauffman  
Packer  
Youngblood  
McDonald

Ringo  
King  
Gannon

Representative Agidius was reassigned from the Education Committee to the Revenue and Taxation Committee.

**REVENUE AND TAXATION (16)**

Collins, Chairman  
Wood(35), Vice Chairman

Barrett  
Moyle  
Raybould  
Denney  
Anderson(31)  
Anderst  
Dayley  
Hartgen  
Kauffman  
Trujillo  
Agidius

Burgoyne  
Erpelding  
Meline

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Thursday, January 16, 2014. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:14 a.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SECOND LEGISLATURE

---

ELEVENTH LEGISLATIVE DAY  
THURSDAY, JANUARY 16, 2014

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 65 members present.

Absent – Anderson(01), Barrett, Chew, Gestrin, Smith.

Total – 5.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Sara Garcia, Page.

### Approval of Journal

January 16, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Tenth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

### Consideration of Messages from the Governor and the Senate

January 15, 2014

Mr. Speaker:

I transmit herewith [SCR 132](#) which has passed the Senate.

NOVAK, Secretary

[SCR 132](#) was filed for first reading.

### Report of Standing Committees

January 16, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 361](#), [H 362](#), [H 363](#), [H 364](#), [H 365](#), [H 366](#), [H 367](#), [H 368](#), [H 369](#), and [H 370](#).

WILLS, Chairman

[H 361](#) and [H 362](#) were referred to the Education Committee.

[H 363](#) was referred to the Business Committee.

[H 364](#), [H 365](#), [H 366](#), and [H 367](#) were referred to the Transportation and Defense Committee.

[H 368](#) was referred to the State Affairs Committee.

[H 369](#) and [H 370](#) were referred to the Revenue and Taxation Committee.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

[SCR 132](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 371

#### BY RESOURCES AND CONSERVATION COMMITTEE AN ACT

RELATING TO THE IDAHO FOREST PRODUCTS COMMISSION; AMENDING SECTION 38-1503, IDAHO CODE, TO REVISE PROVISIONS RELATING TO ADVISORY MEMBERS OF THE IDAHO FOREST PRODUCTS COMMISSION; AMENDING SECTION 38-1504, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE COMPOSITION OF THE IDAHO FOREST PRODUCTS COMMISSION; AMENDING SECTION 38-1515, IDAHO CODE, TO REVISE ASSESSMENT PROVISIONS AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

#### HOUSE BILL NO. 372

#### BY RESOURCES AND CONSERVATION COMMITTEE AN ACT

RELATING TO MINERAL RIGHTS IN STATE LANDS; AMENDING SECTION 47-703A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO MOTORIZED EXPLORATION ON STATE LANDS, TO REVISE AND TO PROVIDE BOND AMOUNT PROVISIONS ASSOCIATED WITH CERTAIN RECLAMATION ACTIVITIES, TO REQUIRE OPERATOR COMPLIANCE WITH THE SURFACE MINING ACT, TO REVISE VERBIAGE, TO LIMIT BOND AMOUNTS, TO PROVIDE AN EXCEPTION TO BOND LIMITATION PROVISIONS AND TO PROVIDE CONDITIONS, TO PROVIDE A PROCEDURE FOLLOWING COMPLETION OF ALL RECLAMATION ACTIVITIES, TO PROVIDE FOR RELEASE OF THE BOND, TO PROVIDE FOR EXTENSION OF TIME FOR THE BOARD TO OBTAIN CERTAIN INFORMATION DUE TO WEATHER CONDITIONS, TO PROVIDE FOR APPEAL UPON NOTICE THAT THE BOND WILL NOT BE RELEASED, TO REVISE DEFINITIONS AND TO DEFINE A TERM; AND AMENDING SECTION 47-718, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES.

#### HOUSE BILL NO. 373

#### BY RESOURCES AND CONSERVATION COMMITTEE AN ACT

RELATING TO THE OIL AND GAS CONSERVATION COMMISSION; AMENDING SECTION 47-317, IDAHO CODE, TO PROVIDE THAT THE OIL AND GAS CONSERVATION COMMISSION OF THE STATE OF IDAHO RESIDES WITHIN THE IDAHO DEPARTMENT OF LANDS.

#### HOUSE BILL NO. 374

#### BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO INCOME TAXATION; AMENDING SECTION 63-3022, IDAHO CODE, TO CLARIFY THAT A NET OPERATING LOSS CARRYBACK IS LIMITED TO

FIFTY THOUSAND DOLLARS FOR AN INDIVIDUAL FILING AS MARRIED FILING SEPARATE IN THE YEAR OF THE LOSS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-3025B, IDAHO CODE, TO ADD A REFERENCE TO THE INTERNAL REVENUE CODE RELATING TO FAILURE TO FILE A RETURN, TO CORRECT A CITE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3033, IDAHO CODE, TO PROVIDE A CORRECT CITATION; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 375**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO TAXES; AMENDING SECTION 63-3004, IDAHO CODE, TO UPDATE REFERENCES TO THE INTERNAL REVENUE CODE AND TO CLARIFY THAT A MARRIAGE MUST BE VALID AND MUST BE RECOGNIZED UNDER THE CONSTITUTION OF THE STATE OF IDAHO AND IDAHO STATUTES AND TO MAKE A TECHNICAL CORRECTION; PROVIDING SEVERABILITY; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 376**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO PROPERTY TAX ADMINISTRATION; AMENDING SECTION 63-110, IDAHO CODE, TO REVISE THE DATE BY WHICH THE STATE TAX COMMISSION SHALL COMPLETE ITS WORK AS THE STATE BOARD OF EQUALIZATION RELATING TO ASSESSMENT OF OPERATING PROPERTY; AMENDING SECTION 63-317, IDAHO CODE, TO REVISE ADMINISTRATION OF THE OCCUPANCY TAX; AMENDING SECTION 63-1706, IDAHO CODE, TO REQUIRE THE COUNTY ASSESSOR TO PROVIDE NOTICE TO TAXPAYERS THAT A YIELD TAX IS DUE; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 377**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO INCOME TAXATION; AMENDING SECTION 63-3022L, IDAHO CODE, TO PROVIDE A CODE REFERENCE AND TO PROVIDE A DEFINITION; AMENDING SECTION 63-3036B, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEFINITION OF "INDIVIDUAL" AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-3082, IDAHO CODE, TO PROVIDE TAXATION FOR A PASS-THROUGH ENTITY; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

[H 371](#), [H 372](#), [H 373](#), [H 374](#), [H 375](#), [H 376](#), and [H 377](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 8 a.m., Friday, January 17, 2014. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:13 a.m.

SCOTT BEDKE, Speaker

ATTEST:  
BONNIE ALEXANDER, Chief Clerk



# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SECOND LEGISLATURE

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**TWELFTH LEGISLATIVE DAY  
FRIDAY, JANUARY 17, 2014**

House of Representatives

The House convened at 8 a.m., the Speaker in the Chair.

Roll call showed 59 members present.

Absent – Agidius, Anderson(01), Barrett, Loertscher, McDonald, Meline, Morse, Moyle, Nielsen, Rusche, Wood(35).  
Total – 11.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Katelyn Manker, Page.

### Approval of Journal

January 17, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eleventh Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

### Report of Standing Committees

January 17, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 371](#), [H 372](#), [H 373](#), [H 374](#), [H 375](#), [H 376](#), and [H 377](#).

WILLS, Chairman

[H 371](#), [H 372](#), and [H 373](#) were referred to the Resources and Conservation Committee.

[H 374](#), [H 375](#), [H 376](#), and [H 377](#) were referred to the Revenue and Taxation Committee.

There being no objection, the House advanced to the Eighth Order of Business.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 378 BY EDUCATION COMMITTEE AN ACT

RELATING TO IDAHO DAY; PROVIDING LEGISLATIVE INTENT; AND AMENDING CHAPTER 1, TITLE 73, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 73-108C, IDAHO CODE, TO PROVIDE FOR AN ANNUAL IDAHO DAY.

#### HOUSE BILL NO. 379 BY EDUCATION COMMITTEE AN ACT

RELATING TO THE LEGISLATURE AND PUBLIC SCHOOL TEACHERS; REPEALING SECTION 67-456, IDAHO CODE, RELATING TO A SUNSETTED LEGISLATIVE COMMITTEE ON HEALTH CARE; AMENDING CHAPTER 4, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-456, IDAHO CODE, TO PROVIDE FOR IDAHO LEGISLATIVE OUTSTANDING TEACHER AWARDS AND TO DEFINE A TERM; AND AMENDING SECTION 67-451, IDAHO CODE, TO REVISE MONEYS TRANSFERRED TO THE LEGISLATIVE ACCOUNT ON A CERTAIN DATE EACH YEAR AND TO MAKE TECHNICAL CORRECTIONS.

[H 378](#) and [H 379](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Crane moved that the House adjourn until 11 a.m., Monday, January 20, 2014. Seconded by Mr. Burgoyne. Motion carried.

Whereupon the Speaker declared the House adjourned at 8:08 a.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk



# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SECOND LEGISLATURE

---

**FIFTEENTH LEGISLATIVE DAY  
MONDAY, JANUARY 20, 2014**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent – Anderson(01), Chew, Moyle. Total – 3.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Austin Sheffey, Page.

### Approval of Journal

January 20, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twelfth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

### Report of Standing Committees

January 20, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 378](#) and [H 379](#).

WILLS, Chairman

[H 378](#) and [H 379](#) were referred to the Education Committee.

There being no objection, the House advanced to the Eighth Order of Business.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 380 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO HISTORICAL HORSE RACES; AMENDING SECTION 54-2512A, IDAHO CODE, TO PROVIDE THAT HISTORIC HORSE RACING TERMINALS SHALL BE OPERATED ONLY BY CASH OR CASH VOUCHERS AND SHALL NOT BE OPERATED BY USE OF

DEBIT OR CREDIT CARDS OR ANY MEANS OF DEBT ACCUMULATION.

#### HOUSE BILL NO. 381 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO INCOME TAX; AMENDING SECTION 63-3067A, IDAHO CODE, TO PROVIDE FOR DESIGNATION BY INDIVIDUALS OF A REFUND FOR AN OVERPAYMENT OF INCOME TAXES OR A DONATION BY INDIVIDUALS TO THE VETERANS SUPPORT FUND; AND AMENDING SECTION 65-209, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION.

#### HOUSE BILL NO. 382 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO TAXES; AMENDING SECTION 63-115, IDAHO CODE, TO REQUIRE CERTAIN TAX RETURN PREPARERS TO FILE INDIVIDUAL AND BUSINESS INCOME TAX RETURNS ELECTRONICALLY, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS.

#### HOUSE BILL NO. 383 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO CERTIFICATION OF PROPERTY TAX BUDGETS; AMENDING SECTION 63-803, IDAHO CODE, TO REVISE THE CALCULATION OF TAXABLE VALUE; AMENDING SECTION 63-803, IDAHO CODE, AS AMENDED BY SECTION 3, CHAPTER 243, LAWS OF 2013, TO REVISE THE CALCULATION OF TAXABLE VALUE; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION AND PROVIDING EFFECTIVE DATES.

#### HOUSE BILL NO. 384 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO INCOME TAX; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3022S, IDAHO CODE, TO PROVIDE THAT A MEMBER OF AN INDIAN TRIBE MAY DEDUCT INCOME EARNED ON A RESERVATION FROM TAXABLE INCOME; AND PROVIDING AN EFFECTIVE DATE.

[H 380](#), [H 381](#), [H 382](#), [H 383](#), and [H 384](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Crane moved that the House adjourn until 11 a.m., Tuesday, January 21, 2014. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:12 a.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SECOND LEGISLATURE

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SIXTEENTH LEGISLATIVE DAY  
TUESDAY, JANUARY 21, 2014

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent – Anderson(01). Total – 1.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Kami Elorrieta, Page.

### Approval of Journal

January 21, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifteenth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

### Report of Standing Committees

January 21, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 380](#), [H 381](#), [H 382](#), [H 383](#), and [H 384](#).

WILLS, Chairman

[H 380](#) was referred to the State Affairs Committee.

[H 381](#), [H 382](#), [H 383](#), and [H 384](#) were referred to the Revenue and Taxation Committee.

January 21, 2014

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 369](#), [H 370](#), [H 374](#), and [H 375](#) and recommend that they do pass.

COLLINS, Chairman

[H 369](#), [H 370](#), [H 374](#), and [H 375](#) were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 385 BY EDUCATION COMMITTEE AN ACT

RELATING TO THE PUBLIC SCHOOL FACILITIES COOPERATIVE FUNDING PROGRAM; AMENDING SECTION 33-909, IDAHO CODE, TO PROVIDE FOR MODIFICATIONS TO A PLAN, TO ESTABLISH PROVISIONS RELATING TO THE STATE FIRE MARSHAL, TO PROVIDE THAT A DISTRICT'S SHARE OF COSTS SHALL BE BASED UPON ACTUAL FUNDS EXPENDED AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

#### HOUSE BILL NO. 386 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DIVISION OF VETERANS SERVICES FOR FISCAL YEAR 2014; REDUCING THE APPROPRIATION TO THE DIVISION OF VETERANS SERVICES FOR FISCAL YEAR 2014; AND DECLARING AN EMERGENCY.

#### HOUSE BILL NO. 387 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF SELF-GOVERNING AGENCIES FOR THE MEDICAL BOARDS FOR FISCAL YEAR 2014; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF SELF-GOVERNING AGENCIES FOR THE MEDICAL BOARDS FOR FISCAL YEAR 2014; AND DECLARING AN EMERGENCY.

#### HOUSE BILL NO. 388 BY APPROPRIATIONS COMMITTEE AN ACT

RELATING TO APPROPRIATIONS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF INDIRECT SUPPORT SERVICES FOR FISCAL YEAR 2014; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE PUBLIC HEALTH SERVICES DIVISION FOR FISCAL YEAR 2014; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE PUBLIC HEALTH SERVICES DIVISION FOR FISCAL YEAR 2014; AND DECLARING AN EMERGENCY.

#### HOUSE BILL NO. 389 BY TRANSPORTATION AND DEFENSE COMMITTEE AN ACT

RELATING TO VEHICLES; AMENDING SECTION 49-114, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 49-121, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 49-123, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-205, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A CERTAIN FILING; AMENDING SECTION 49-401B, IDAHO CODE, TO REVISE PROVISIONS RELATING TO AN APPLICATION FOR REGISTRATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-402C, IDAHO CODE, TO REVISE PROVISIONS

RELATING TO DISCONTINUING A SPECIAL LICENSE PLATE PROGRAM; AMENDING SECTION 49-437, IDAHO CODE, TO REVISE A TERM; AMENDING SECTION 49-443, IDAHO CODE, TO REVISE PROVISIONS RELATING TO LICENSE PLATES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-443B, IDAHO CODE, TO REVISE PROVISIONS RELATING TO LICENSE PLATES FOR STATE VEHICLES AND VEHICLES OF TAXING DISTRICTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-502, IDAHO CODE, TO PROVIDE FOR AN EXCEPTION AND TO REVISE A CODE REFERENCE; AMENDING SECTION 49-504, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN CERTIFICATES OF TITLE; AMENDING SECTION 49-504A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A CERTAIN PENALTY; AMENDING SECTION 49-511, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE CANCELLATION OR DISCHARGE OF A LIEN OR ENCUMBRANCE UPON A CERTAIN TITLE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-523, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE AGE OF A VEHICLE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-524, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A VEHICLE ACQUIRED IN A SETTLEMENT; AMENDING SECTION 49-525, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN SALVAGE CERTIFICATES OF TITLE AND TO REVISE PROVISIONS RELATING TO CERTAIN OWNERSHIP DOCUMENTS AND BRANDS RETRIEVED BY THE NATIONAL MOTOR VEHICLE TITLE INFORMATION SYSTEM; AMENDING SECTION 49-811, IDAHO CODE, TO REVISE A CODE REFERENCE; AMENDING SECTION 49-948, IDAHO CODE, TO REVISE A CODE REFERENCE; AMENDING SECTION 49-1818, IDAHO CODE, TO REVISE PROVISIONS RELATING TO DEPOSITS IN A TRUST ACCOUNT; AMENDING SECTION 67-7040, IDAHO CODE, TO REMOVE A REFERENCE TO ROWBOATS AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 67-7101, IDAHO CODE, TO REVISE DEFINITIONS.

**HOUSE BILL NO. 390**  
**BY ENVIRONMENT, ENERGY, AND TECHNOLOGY**  
**COMMITTEE**  
AN ACT

RELATING TO PLATS AND VACATIONS; AMENDING SECTION 50-1301, IDAHO CODE, TO REVISE THE DEFINITION OF "SANITARY RESTRICTION."

**HOUSE BILL NO. 391**  
**BY ENVIRONMENT, ENERGY, AND TECHNOLOGY**  
**COMMITTEE**  
AN ACT

RELATING TO THE WASTEWATER FACILITY LOAN ACCOUNT AND THE DRINKING WATER LOAN ACCOUNT; AMENDING SECTION 39-3626, IDAHO CODE, TO AUTHORIZE THE IDAHO BOARD OF ENVIRONMENTAL QUALITY THROUGH THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO TRANSFER FUNDS BETWEEN THE WASTEWATER FACILITY LOAN ACCOUNT AND THE DRINKING WATER LOAN ACCOUNT, TO PROVIDE THAT ANY SUCH TRANSFERS SHALL BE LISTED IN THE ANNUAL INTENDED USE PLAN AND APPROVED BY THE BOARD; AMENDING SECTION 39-3629, IDAHO CODE,

TO PROVIDE THAT FUND TRANSFERS FROM THE DRINKING WATER LOAN ACCOUNT MAY BE PAID INTO THE WASTEWATER FACILITY LOAN ACCOUNT; AND AMENDING SECTION 39-7603, IDAHO CODE, TO PROVIDE THAT FUND TRANSFERS FROM THE WASTEWATER FACILITY LOAN ACCOUNT MAY BE PAID INTO THE DRINKING WATER LOAN ACCOUNT.

**HOUSE BILL NO. 392**  
**BY ENVIRONMENT, ENERGY, AND TECHNOLOGY**  
**COMMITTEE**  
AN ACT

RELATING TO WATER QUALITY; AMENDING SECTION 39-3603, IDAHO CODE, TO REVISE PROVISIONS RELATING TO TIER II ANALYSIS FOR INSIGNIFICANT DEGRADATION, TO REVISE AND TO PROVIDE GUIDELINES FOR DETERMINATION OF WHETHER DEGRADATION IS SIGNIFICANT OR INSIGNIFICANT, TO REVISE PROVISIONS RELATING TO REQUESTS BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR ADDITIONAL INFORMATION AND TO PROVIDE THAT IF DEGRADATION IS DETERMINED TO BE INSIGNIFICANT, THEN NO FURTHER TIER II ANALYSIS FOR OTHER SOURCE CONTROLS, ALTERNATIVES ANALYSIS OR SOCIOECONOMIC JUSTIFICATION IS REQUIRED; AND DECLARING AN EMERGENCY.

[H 385](#), [H 386](#), [H 387](#), [H 388](#), [H 389](#), [H 391](#), and [H 392](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

At this time, Mr. Moyle took the Chair.

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At this time, Mr. Wills introduced Roger S. Burdick, Chief Justice of the Idaho Supreme Court, who delivered the State of the Judiciary Address to the members of the House.

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There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Crane moved that the House adjourn until 11 a.m., Wednesday, January 22, 2014. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 12:01 p.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SECOND LEGISLATURE

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SEVENTEENTH LEGISLATIVE DAY  
WEDNESDAY, JANUARY 22, 2014

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 68 members present.  
Absent – Anderson(01), Eskridge. Total – 2.  
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Julia Horman, Page.

### Approval of Journal

January 22, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixteenth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

### Report of Standing Committees

January 22, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 385](#), [H 386](#), [H 387](#), [H 388](#), [H 389](#), [H 390](#), [H 391](#), and [H 392](#).

WILLS, Chairman

[H 385](#) was referred to the Education Committee.

[H 386](#), [H 387](#), and [H 388](#) were filed for second reading.

[H 389](#) was referred to the Transportation and Defense Committee.

[H 390](#), [H 391](#), and [H 392](#) were referred to the Environment, Energy, and Technology Committee.

January 21, 2014

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 346](#), [H 347](#), and [H 359](#) and recommend that they do pass.

HENDERSON, Chairman

[H 346](#), [H 347](#), and [H 359](#) were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 393 BY HEALTH AND WELFARE COMMITTEE AN ACT

RELATING TO THE HEALTH INSURANCE EXCHANGE; AMENDING SECTION 41-6105, IDAHO CODE, TO PROVIDE THAT SHOPPERS ON THE EXCHANGE MAY COMPARISON SHOP AND SHALL PROVIDE CERTAIN INFORMATION ONLY UPON SUBMISSION OF AN APPLICATION AND TO PROVIDE FOR A WARNING REGARDING A SUBMISSION OF ESTIMATED INCOME.

#### HOUSE BILL NO. 394 BY HEALTH AND WELFARE COMMITTEE AN ACT

RELATING TO HEALTH AND SAFETY; AMENDING SECTION 39-6105, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 39-6111, IDAHO CODE, TO REVISE A PROVISION RELATING TO THE MEDICAL CRITERIA FOR A J-1 PETITIONING PHYSICIAN AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 39-6111A, IDAHO CODE, TO REVISE A PROVISION RELATING TO THE MEDICAL CRITERIA FOR A NATIONAL INTEREST WAIVER PETITIONING PHYSICIAN AND TO MAKE A TECHNICAL CORRECTION.

#### HOUSE BILL NO. 395 BY HEALTH AND WELFARE COMMITTEE AN ACT

RELATING TO MEDICAID; AMENDING SECTION 56-255, IDAHO CODE, TO PROVIDE DENTAL SERVICES FOR ADULT PARTICIPANTS WITH DISABILITIES OR SPECIAL HEALTH NEEDS AND TO MAKE TECHNICAL CORRECTIONS.

#### HOUSE BILL NO. 396 BY HEALTH AND WELFARE COMMITTEE AN ACT

RELATING TO UNIFORM CONTROLLED SUBSTANCES; AMENDING SECTION 37-2701, IDAHO CODE, TO DEFINE A TERM, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 37-2716, IDAHO CODE, TO PROVIDE THAT CERTAIN PRESCRIBERS SHALL REGISTER FOR ONLINE ACCESS TO THE CONTROLLED SUBSTANCES PRESCRIPTIONS DATABASE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 37-2726, IDAHO CODE, TO PROVIDE THAT CERTAIN PRESCRIBERS SHALL REGISTER FOR ONLINE ACCESS TO THE CONTROLLED SUBSTANCES PRESCRIPTIONS DATABASE.

#### HOUSE BILL NO. 397 BY COMMERCE AND HUMAN RESOURCES COMMITTEE AN ACT

RELATING TO THE SUPPLEMENTAL RETIREMENT SYSTEM; REPEALING CHAPTER 15, TITLE 59,



IDAHO CODE, RELATING TO THE SUPPLEMENTAL RETIREMENT SYSTEM.

**HOUSE BILL NO. 398**

**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-415, IDAHO CODE, TO PROVIDE FOR DISCOUNTED LICENSE FEES, TO CLARIFY APPLICABILITY, TO AUTHORIZE A DISCOUNT IN FEES TO ENCOURAGE HUNTING, FISHING OR TRAPPING, TO AUTHORIZE A DISCOUNT IN FEES TO ENCOURAGE THE PURCHASE OF LICENSES IN CONSECUTIVE YEARS AND TO ENCOURAGE THE PURCHASE OF MULTIPLE TAGS AND PERMITS AND TO PROVIDE THAT ANY DISCOUNTED FEE SHALL BE EFFECTIVE ONLY FOR THE TIME PERIOD SET BY COMMISSION ORDER; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 399**

**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-404, IDAHO CODE, TO PROVIDE THAT A LICENSE MAY BE ISSUED TO CERTAIN QUALIFIED PERSONS WHO ARE NINE YEARS OF AGE TO ALLOW THE APPLICATION FOR A CONTROLLED HUNT BIG GAME TAG AND TO REMOVE A PROHIBITION RELATING TO THE HUNTING OF BIG GAME BY CERTAIN PERSONS WITH A JUNIOR HUNTING LICENSE WHO ARE TEN OR ELEVEN YEARS OF AGE; AND AMENDING SECTION 36-407, IDAHO CODE, TO PROVIDE THAT A LICENSE MAY BE ISSUED TO CERTAIN QUALIFIED PERSONS WHO ARE NINE YEARS OF AGE TO ALLOW THE APPLICATION FOR A CONTROLLED HUNT BIG GAME TAG, TO REMOVE A PROHIBITION RELATING TO THE HUNTING OF BIG GAME ANIMALS BY PERSONS WITH NONRESIDENT JUNIOR MENTORED HUNTING LICENSES WHO ARE TEN OR ELEVEN YEARS OF AGE, TO PROVIDE THAT PERSONS WITH CERTAIN LICENSES SHALL BE ENTITLED TO FISH IN THE WATERS OF THE STATE FOR A PERIOD OF THREE CONSECUTIVE DAYS IN EACH LICENSE YEAR FOR ANY FISH DURING AN OPEN SEASON FOR THOSE FISH, TO PROVIDE EXCEPTIONS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 400**

**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO HORSE RACING; AMENDING SECTION 54-2513, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE FISCAL YEAR-END BALANCE IN THE RACING COMMISSION ACCOUNT AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 401**

**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO MIDWIFERY; AMENDING SECTION 54-5502, IDAHO CODE, TO DEFINE TERMS; AMENDING SECTION 54-5505, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE BOARD OF MIDWIFERY'S RULEMAKING RESPONSIBILITIES AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 37, CHAPTER 79, LAWS OF 2010, TO REVISE A SUNSET DATE.

**HOUSE JOINT RESOLUTION NO. 1**

**BY STATE AFFAIRS COMMITTEE**

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE III, OF THE CONSTITUTION OF THE STATE OF IDAHO, BY THE ADDITION OF A NEW SECTION 29, ARTICLE III, RELATING TO LEGISLATIVE DELEGATION OF RULEMAKING AUTHORITY; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

[H 393](#), [H 394](#), [H 395](#), [H 396](#), [H 397](#), [H 398](#), [H 399](#), [H 400](#), [H 401](#), and [HJR 1](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

[H 369](#), [H 370](#), [H 374](#), and [H 375](#), by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Thursday, January 23, 2014. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:15 a.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SECOND LEGISLATURE

**EIGHTEENTH LEGISLATIVE DAY  
THURSDAY, JANUARY 23, 2014**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent – Anderson(01), Rubel. Total – 2.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Tahj McDaniel, Page.

### Approval of Journal

January 23, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventeenth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

### Consideration of Messages from the Governor and the Senate

January 22, 2014

Mr. Speaker:

I transmit herewith [S 1210](#) which has passed the Senate.

NOVAK, Secretary

[S 1210](#) was filed for first reading.

### Report of Standing Committees

January 23, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 393](#), [H 394](#), [H 395](#), [H 396](#), [H 397](#), [H 398](#), [H 399](#), [H 400](#), [H 401](#), and [HJR 1](#).

WILLS, Chairman

[H 393](#), [H 394](#), [H 395](#), [H 396](#), and [H 401](#) were referred to the Health and Welfare Committee.

[H 397](#) was referred to the Commerce and Human Resources Committee.

[H 398](#) and [H 399](#) were referred to the Resources and Conservation Committee.

[H 400](#) and [HJR 1](#) were referred to the State Affairs Committee.

January 22, 2014

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 364](#), [H 365](#), [H 366](#), and [H 367](#) and recommend that they do pass.

PALMER, Chairman

[H 364](#), [H 365](#), [H 366](#), and [H 367](#) were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 402 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO INCOME TAXES; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3021A, IDAHO CODE, TO PROVIDE FOR THE CALCULATION OF A NET OPERATING LOSS WHEN INCOME IS DETERMINED BY EXCESS INCLUSION INCOME; AMENDING SECTION 63-3027, IDAHO CODE, TO DETERMINE THE INCOME OF A CORPORATION TO BE INCLUDED IN A COMBINED REPORT WHEN ONE OR MORE CORPORATIONS INCLUDED IN A COMBINED REPORT HAVE EXCESS INCLUSION INCOME FOR A TAX YEAR AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

#### HOUSE BILL NO. 403 BY TRANSPORTATION AND DEFENSE COMMITTEE AN ACT

RELATING TO LICENSE PLATES; AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE A CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-420M, IDAHO CODE, TO PROVIDE FOR IDAHO 4-H PLATES; AND PROVIDING AN EFFECTIVE DATE.

#### HOUSE BILL NO. 404 BY TRANSPORTATION AND DEFENSE COMMITTEE AN ACT

RELATING TO MOTOR VEHICLE DRIVERS; AMENDING SECTION 18-101A, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 18-8002, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A STATE APPROVED IGNITION INTERLOCK SYSTEM; AMENDING SECTION 18-8002A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A STATE APPROVED IGNITION INTERLOCK SYSTEM; AMENDING SECTION 18-8004C, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A STATE APPROVED IGNITION INTERLOCK SYSTEM; AMENDING SECTION 18-8005, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A STATE APPROVED IGNITION INTERLOCK SYSTEM AND TO REVISE PROVISIONS RELATING TO AN ALCOHOL EVALUATION; AND AMENDING SECTION 18-8008, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A COURT ORDER, TO REVISE PROVISIONS RELATING TO A CALIBRATION AND TO REVISE A DEFINITION.

**HOUSE BILL NO. 405**  
**BY ENVIRONMENT, ENERGY, AND TECHNOLOGY**  
**COMMITTEE**  
 AN ACT

RELATING TO DRINKING WATER AND WASTEWATER PROFESSIONALS; AMENDING SECTION 54-2411, IDAHO CODE, TO REMOVE CERTAIN REQUIREMENTS RELATING TO THE REINSTATEMENT OF A CANCELED DRINKING WATER OPERATOR LICENSE.

**HOUSE BILL NO. 406**  
**BY ENVIRONMENT, ENERGY, AND TECHNOLOGY**  
**COMMITTEE**  
 AN ACT

RELATING TO ENVIRONMENTAL QUALITY; AMENDING SECTION 39-108, IDAHO CODE, TO REVISE AND TO PROVIDE CIVIL PENALTY PROVISIONS, TO REQUIRE COMPLIANCE WITH CERTAIN PUBLIC PARTICIPATION REQUIREMENTS IN ADMINISTRATIVE AND CIVIL ENFORCEMENT PROCEEDINGS, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-117, IDAHO CODE, TO PROVIDE FOR SPECIFIED CRIMINAL VIOLATIONS AND PENALTIES, TO CORRECT OBSOLETE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-175A, IDAHO CODE, TO REVISE LEGISLATIVE FINDINGS AND PURPOSES; AND AMENDING SECTION 39-175C, IDAHO CODE, TO REMOVE PROVISIONS RELATING TO THE EXPLORATION OF POTENTIAL OPERATION OF A STATE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PROGRAM, TO REMOVE PROVISIONS RELATING TO A REPORT TO THE LEGISLATURE, TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO PURSUE APPROVAL OF AN NPDES PROGRAM, TO PROVIDE THAT THE STATE SHALL SUBMIT AN APPLICATION TO THE ENVIRONMENTAL PROTECTION AGENCY BY A SPECIFIED DATE, TO PROVIDE FOR RULEMAKING ASSOCIATED WITH FEES, TO REMOVE PROVISIONS RELATING TO CERTAIN MEMORANDUMS OF AGREEMENT, TO PROVIDE THAT THE DIRECTOR, AS APPROPRIATE, SHALL ESTABLISH AGREEMENTS WITH CERTAIN OTHER STATE AGENCIES TO ADMINISTER THE NPDES PROGRAM AND TO PROVIDE A CORRECT CODE REFERENCE.

**HOUSE BILL NO. 407**  
**BY APPROPRIATIONS COMMITTEE**  
 AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE PURCHASING PROGRAM FOR FISCAL YEAR 2014; AND DECLARING AN EMERGENCY.

H 402, H 403, H 404, H 405, H 406, and H 407 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1210, by Finance Committee, was introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

H 386, H 387, and H 388, by Appropriations Committee, were read the second time by title and filed for third reading.

H 346, H 347, and H 359, by Business Committee, were read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

**H 369 - INCOME TAX - RESIDENT TRUSTS**

H 369 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Meline to open debate.

The question being, "Shall H 369 pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(31), Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson(Chambers), Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 67.

NAYS – Barrett. Total – 1.

Absent – Anderson(01), Rubel. Total – 2.

Total – 70.

Whereupon the Speaker declared that H 369 passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 370 - CIGARETTE TAXES**

H 370 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Anderst to open debate.

The question being, "Shall H 370 pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson(Chambers), Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 68.

NAYS – None.

Absent – Anderson(01), Rubel. Total – 2.

Total – 70.

Whereupon the Speaker declared that H 370 passed the House. Title was approved and the bill ordered transmitted to the Senate.





# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SECOND LEGISLATURE

---

**NINETEENTH LEGISLATIVE DAY  
FRIDAY, JANUARY 24, 2014**

House of Representatives

The House convened at 8 a.m., the Speaker in the Chair.

Roll call showed 63 members present.

Absent – Anderson(01), Denney, Kloc, Nielsen, Romrell,  
Rubel, Sims. Total – 7.  
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Jake Wright, Page.

### Approval of Journal

January 24, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighteenth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

### Consideration of Messages from the Governor and the Senate

January 23, 2014

Mr. Speaker:

I transmit herewith [S 1201](#) which has passed the Senate.

NOVAK, Secretary

[S 1201](#) was filed for first reading.

### Report of Standing Committees

January 24, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 402](#), [H 403](#), [H 404](#), [H 405](#), [H 406](#), and [H 407](#).

WILLS, Chairman

[H 402](#) was referred to the Revenue and Taxation Committee.

[H 403](#) and [H 404](#) were referred to the Transportation and Defense Committee.

[H 405](#) and [H 406](#) were referred to the Environment, Energy, and Technology Committee.

[H 407](#) was filed for second reading.

January 23, 2014

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 358](#) and [H 360](#) and recommend that they do pass.

HENDERSON, Chairman

[H 358](#) and [H 360](#) were filed for second reading.

January 23, 2014

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 363](#) and report it back with amendments attached to be placed on General Orders for consideration.

HENDERSON, Chairman

[H 363](#) was placed on General Orders for consideration.

There being no objection, the House advanced to the Eighth Order of Business.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 408 BY COMMERCE AND HUMAN RESOURCES COMMITTEE AN ACT

RELATING TO THE DIVISION OF PURCHASING; AMENDING SECTION 67-5717, IDAHO CODE, TO REVISE POWERS AND DUTIES OF THE ADMINISTRATOR OF THE DIVISION OF PURCHASING.

#### HOUSE BILL NO. 409 BY COMMERCE AND HUMAN RESOURCES COMMITTEE AN ACT

RELATING TO THE DIVISION OF PURCHASING; AMENDING SECTION 67-5718, IDAHO CODE, TO CLARIFY THE APPLICATION OF THE STATE PURCHASING LAW TO THE ACQUISITION OF MIXED SERVICES AND PRINTING AND TO MAKE A TECHNICAL CORRECTION.

#### HOUSE BILL NO. 410 BY RESOURCES AND CONSERVATION COMMITTEE AN ACT

RELATING TO INJECTION WELLS; AMENDING SECTION 42-3902, IDAHO CODE, TO REVISE THE DEFINITION OF "INJECTION WELL" AND TO MAKE A TECHNICAL CORRECTION.

#### HOUSE BILL NO. 411 BY RESOURCES AND CONSERVATION COMMITTEE AN ACT

RELATING TO WATER; AMENDING SECTION 42-1805, IDAHO CODE, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES TO ORDER THAT APPLICATIONS SUBMITTED PRIOR TO AND AFTER THE EFFECTIVE DATE OF A MORATORIUM ORDER SHOULD BE RETURNED TO THE APPLICANT WITHOUT PROCESSING IN CERTAIN MORATORIUM AREAS.

**HOUSE BILL NO. 412****BY RESOURCES AND CONSERVATION COMMITTEE  
AN ACT**

RELATING TO THE IDAHO DEPARTMENT OF WATER RESOURCES; AMENDING SECTION 42-1701, IDAHO CODE, TO REVISE QUALIFICATION REQUIREMENTS FOR THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 413****BY RESOURCES AND CONSERVATION COMMITTEE  
AN ACT**

RELATING TO STUMPAGE DISTRICTS; REPEALING CHAPTER 10, TITLE 38, IDAHO CODE, RELATING TO STUMPAGE DISTRICTS.

**HOUSE BILL NO. 414****BY RESOURCES AND CONSERVATION COMMITTEE  
AN ACT**

RELATING TO EXPLODING TARGETS; AMENDING CHAPTER 1, TITLE 38, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 38-137, IDAHO CODE, TO PROVIDE RESTRICTIONS RELATING TO THE USE OF EXPLODING TARGETS, TO PROVIDE FOR VIOLATIONS, TO PROVIDE FOR THE APPLICABILITY OF SPECIFIED LAW, TO DEFINE A TERM AND TO PROVIDE AN EXCEPTION TO APPLICABILITY.

**HOUSE BILL NO. 415****BY BUSINESS COMMITTEE  
AN ACT**

RELATING TO THE IDAHO CONTRACTOR REGISTRATION ACT; AMENDING SECTION 54-5210, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO INACTIVE STATUS OF REGISTERED CONTRACTORS, TO ESTABLISH PROVISIONS RELATING TO RESTORING ACTIVE STATUS AND TO PROVIDE FOR RULEMAKING.

**HOUSE BILL NO. 416****BY ERPELDING  
AN ACT**

RELATING TO TAXATION; AMENDING SECTION 63-3022, IDAHO CODE, TO PROVIDE ADJUSTMENTS TO TAXABLE INCOME FOR PAYMENTS MADE ON STUDENT LOANS AND FOR PAYMENTS OF TUITION, EXPENSES AND FEES TO CERTAIN POSTSECONDARY EDUCATIONAL INSTITUTIONS IN IDAHO FOR THE INDIVIDUAL OR A DEPENDENT.

**HOUSE BILL NO. 417****BY ERPELDING  
AN ACT**

RELATING TO THE IDAHO YOUTH CONSERVATION CORPS; AMENDING TITLE 58, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 10, TITLE 58, IDAHO CODE, TO PROVIDE A CHAPTER TITLE, TO PROVIDE POLICIES AND PURPOSES, TO PROVIDE FOR THE IDAHO YOUTH CONSERVATION CORPS TO BE ADMINISTERED THROUGH THE DEPARTMENT OF LANDS, TO PROVIDE FOR A PROGRAM DIRECTOR, TO PROVIDE FOR THE IDAHO YOUTH CONSERVATION CORPS ADVISORY COMMITTEE, TO PROVIDE THAT THE ADVISORY COMMITTEE SHALL ADVISE THE PROGRAM DIRECTOR ON IMPLEMENTATION, TO PROVIDE FOR DUTIES AND AUTHORITY OF THE PROGRAM

DIRECTOR, TO PROVIDE FOR RULEMAKING BY THE DEPARTMENT OF LANDS, TO PROVIDE THAT CORPS MEMBERS ARE EXEMPT FROM UNEMPLOYMENT INSURANCE COVERAGE AND SHALL BE SO ADVISED, TO PROVIDE FOR THE PROMOTION OF COMMUNITY SERVICE ACTIVITIES, TO PROVIDE FOR PROGRAMS THAT INCLUDE APPROPRIATE EDUCATIONAL AND JOB TRAINING OPPORTUNITIES, TO PROVIDE FOR CERTAIN PROJECTS, TO PROVIDE FOR A TIME PERIOD DURING WHICH EMPLOYMENT AND EDUCATIONAL OPPORTUNITIES ARE OFFERED, TO PROVIDE FOR TUITION VOUCHERS, TO PROVIDE FOR PARTICIPANT COMPOSITION, TO PROVIDE FOR SPONSORS, TO PROVIDE CRITERIA FOR SPONSOR SELECTION, TO PROVIDE FOR GRANTS FOR PROGRAMS, TO SPECIFY TYPES OF PROJECTS, TO PROVIDE THAT PROJECTS SHALL BE CONSISTENT WITH CERTAIN STATE AND FEDERAL LAW AND TO PROVIDE FOR EMPLOYMENT GOALS.

**HOUSE BILL NO. 418****BY BARRETT  
AN ACT**

RELATING TO THE HEALTH INSURANCE EXCHANGE; REPEALING CHAPTER 61, TITLE 41, IDAHO CODE, RELATING TO THE IDAHO HEALTH INSURANCE EXCHANGE ACT.

**HOUSE BILL NO. 419****BY ERPELDING  
AN ACT**

RELATING TO STUDENT LOANS; AMENDING CHAPTER 37, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-3728, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO CERTAIN DEBT REPORTS AND TO ESTABLISH PROVISIONS RELATING TO COUNSELING; AMENDING CHAPTER 37, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-3729, IDAHO CODE, TO ESTABLISH PROVISIONS REQUIRING INFORMATION BE PROVIDED TO STUDENTS; AMENDING CHAPTER 37, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-3730, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO LOAN COUNSELING, TO ESTABLISH PROVISIONS RELATING TO ENTRANCE AND EXIT COUNSELING; AMENDING CHAPTER 37, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-3731, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO STUDENT LENDING TRANSPARENCY AND TO DEFINE TERMS; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 58, TITLE 33, IDAHO CODE, TO PROVIDE A CHAPTER HEADING, TO PROVIDE DEFINITIONS, TO ESTABLISH PROVISIONS CREATING THE IDAHO STUDENT LOAN REFINANCING AUTHORITY, TO PROVIDE FOR POWERS OF THE BOARD, TO PROVIDE FOR DUTIES OF THE BOARD, TO PROVIDE FOR THE ISSUANCE OF BONDS, TO ESTABLISH PROVISIONS RELATING TO BOND SECURITY, TO ESTABLISH PROVISIONS THAT BONDS ARE NOT PUBLIC DEBT, TO ESTABLISH PROVISIONS RELATING TO A STATE PLEDGE, TO ESTABLISH PROVISIONS RELATING TO LIMITED LIABILITY, TO ESTABLISH PROVISIONS RELATING TO AN ANNUAL REPORT, TO PROVIDE FOR STAGGERED TERMS, AND PROVIDING AN EFFECTIVE DATE.

[H 408](#), [H 409](#), [H 410](#), [H 411](#), [H 412](#), [H 413](#), [H 414](#), [H 415](#), [H 416](#), [H 417](#), [H 418](#), and [H 419](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1201](#), by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

There being no objection, the House advanced to the Tenth Order of Business.

#### **Second Reading of Bills and Joint Resolutions**

[H 364](#), [H 365](#), [H 366](#), and [H 367](#), by Transportation and Defense Committee, were read the second time by title and filed for third reading.

[S 1210](#), by Finance Committee, was read the second time by title and filed for third reading.

#### **Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that bills on the Third Reading Calendar retain their places until Monday, January 27, 2014. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

#### **Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Monday, January 27, 2014. Seconded by Mr. Burgoyne. Motion carried.

Whereupon the Speaker declared the House adjourned at 8:16 a.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

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# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SECOND LEGISLATURE

—————  
TWENTY-SECOND LEGISLATIVE DAY  
MONDAY, JANUARY 27, 2014

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 68 members present.  
Absent – Collins, Wood(35). Total – 2.  
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Julia Garcia, Page.

### Approval of Journal

January 27, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Nineteenth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

### Consideration of Messages from the Governor and the Senate

January 24, 2014

Mr. Speaker:

I transmit herewith [S 1213](#) which has passed the Senate.

NOVAK, Secretary

[S 1213](#) was filed for first reading.

### Report of Standing Committees

January 27, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 408](#), [H 409](#), [H 410](#), [H 411](#), [H 412](#), [H 413](#), [H 414](#), [H 415](#), [H 416](#), [H 417](#), [H 418](#), and [H 419](#).

WILLS, Chairman

[H 408](#) and [H 409](#) were referred to the Commerce and Human Resources Committee.

[H 410](#), [H 411](#), [H 412](#), [H 413](#), and [H 414](#) were referred to the Resources and Conservation Committee.

[H 415](#) was referred to the Business Committee.

[H 416](#), [H 417](#), [H 418](#), and [H 419](#) were referred to the Ways and Means Committee.

January 27, 2014

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 381](#) and [H 384](#) and recommend that they do pass.

COLLINS, Chairman

[H 381](#) and [H 384](#) were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 420 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO INCOME TAXATION; AMENDING SECTION 63-3022A, IDAHO CODE, TO PROVIDE FOR AN INCOME TAX DEDUCTION OF MILITARY RETIREMENT BENEFITS REGARDLESS OF AGE; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

[H 420](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1213](#), by Local Government and Taxation Committee, was introduced, read the first time by title, and referred to the Revenue and Taxation Committee.

There being no objection, the House advanced to the Tenth Order of Business.

### Second Reading of Bills and Joint Resolutions

[H 407](#), by Appropriations Committee, was read the second time by title and filed for third reading.

[H 358](#) and [H 360](#), by Business Committee, were read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

#### [H 386](#) - APPROPRIATIONS - DIVISION OF VETERANS SERVICES

[H 386](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall [H 386](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Woodings, Youngblood, Mr. Speaker. Total – 68.

NAYS – None.

Absent – Collins, Wood(35). Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 386](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 387](#) - APPROPRIATIONS - MEDICAL BOARDS

[H 387](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thompson to open debate.

The question being, "Shall [H 387](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, Meline, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Woodings, Youngblood, Mr. Speaker. Total – 63.

NAYS – Barbieri, Boyle, Harris, McMillan, Mendive. Total – 5.

Absent – Collins, Wood(35). Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 387](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 388](#) - APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - INDIRECT SUPPORT SERVICES AND PUBLIC HEALTH SERVICES

[H 388](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Stevenson to open debate.

The question being, "Shall [H 388](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barrett, Bateman, Batt, Bell, Bolz, Burgoyne, Chew, Clow, Crane, DeMordaunt, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, Meline, Miller, Monks, Morse, Moyle, Packer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Woodings, Youngblood, Mr. Speaker. Total – 58.

NAYS – Barbieri, Boyle, Dayley, Denney, Harris, McMillan, Mendive, Nielsen, Palmer, Sims. Total – 10.

Absent – Collins, Wood(35). Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 388](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 346](#) - LANDSCAPE ARCHITECT REGISTRATION AND LICENSING ACT

[H 346](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kauffman to open debate.

The question being, "Shall [H 346](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Woodings, Youngblood, Mr. Speaker. Total – 68.

NAYS – None.

Absent – Collins, Wood(35). Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 346](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 347](#) - REAL ESTATE APPRAISERS ACT

[H 347](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Youngblood to open debate.

Pursuant to Rule 38(3), Mr. Morse disclosed a conflict of interest regarding [H 347](#).

The question being, "Shall [H 347](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, Meline, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Smith, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Woodings, Youngblood, Mr. Speaker. Total – 61.

NAYS – Barbieri, Harris, McMillan, Mendive, Shepherd, Sims, Stevenson. Total – 7.

Absent – Collins, Wood(35). Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 347](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 359](#) - DRIVING BUSINESSES

[H 359](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gannon to open debate.

The question being, "Shall [H 359](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Woodings, Youngblood, Mr. Speaker. Total – 68.

NAYS – None.

Absent – Collins, Wood(35). Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 359](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 364](#) - MOTOR FUELS TAX

[H 364](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kauffman to open debate.

The question being, "Shall [H 364](#) pass?"

Roll call resulted as follows:

AYES – Anderson(01), Anderson(31), Anderst, Andrus, Bateman, Bell, Bolz, Chew, Clow, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Malek, McDonald, Meline, Miller, Morse, Packer, Palmer, Pence, Perry, Raybould, Ringo, Rubel, Rusche, Shepherd, Smith, VanOrden, Vander Woude, Wills, Wood(27), Woodings, Youngblood, Mr. Speaker. Total – 45.

NAYS – Agidius, Barbieri, Barrett, Batt, Boyle, Burgoyne, Crane, Dayley, DeMordaunt, Hancey, Harris, Loertscher, Luker, McMillan, Mendive, Monks, Moyle, Nielsen, Romrell, Sims, Stevenson, Thompson, Trujillo. Total – 23.

Absent – Collins, Wood(35). Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 364](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 365](#) - EMERGENCY COMMUNICATIONS

[H 365](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bateman to open debate.

Pursuant to Rule 38(3), Mr. Wills disclosed a conflict of interest regarding [H 365](#).

The question being, "Shall [H 365](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Bolz, Boyle, Chew, Clow, Crane, Dayley, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Woodings, Youngblood, Mr. Speaker. Total – 63.

NAYS – Barrett, Burgoyne, DeMordaunt, Luker, Moyle. Total – 5.

Absent – Collins, Wood(35). Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 365](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

#### Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Tuesday, January 28, 2014. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:39 a.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk



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# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SECOND LEGISLATURE

—————  
**TWENTY-THIRD LEGISLATIVE DAY**  
**TUESDAY, JANUARY 28, 2014**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent –Collins, Palmer. Total – 2.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Katelyn Manker, Page.

### Approval of Journal

January 28, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-second Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

### Consideration of Messages from the Governor and the Senate

January 27, 2014

Mr. Speaker:

I transmit herewith [SJM 103](#), [S 1216](#), [S 1217](#), and [S 1218](#) which have passed the Senate.

NOVAK, Secretary

[SJM 103](#), [S 1216](#), [S 1217](#), and [S 1218](#) were filed for first reading.

### Report of Standing Committees

January 28, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 420](#).

WILLS, Chairman

[H 420](#) was referred to the Revenue and Taxation Committee.

January 27, 2014

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration [H 397](#) and recommend that it do pass.

HARTGEN, Chairman

[H 397](#) was filed for second reading.

January 28, 2014

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 348](#), [H 349](#), and [H 350](#) and recommend that they do pass.

WOOD(27), Chairman

[H 348](#), [H 349](#), and [H 350](#) were filed for second reading.

January 28, 2014

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [SCR 132](#) and recommend that it do pass.

LOERTSCHER, Chairman

[SCR 132](#) was filed for second reading.

January 28, 2014

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 361](#), [H 362](#), and [H 385](#) and recommend that they do pass.

DEMORDAUNT, Chairman

[H 361](#), [H 362](#), and [H 385](#) were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

[SJM 103](#), by Resources and Environment Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 421 BY BUSINESS COMMITTEE

AN ACT

RELATING TO ENGINEERS AND SURVEYORS; AMENDING SECTION 54-1202, IDAHO CODE, TO REVISE A DEFINITION.

#### HOUSE BILL NO. 422 BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO UNIFORM CONTROLLED SUBSTANCES; AMENDING SECTION 37-2744, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE SUPERVISION OF THE DESTRUCTION OF CERTAIN PROPERTY AND TO MAKE TECHNICAL CORRECTIONS.

#### HOUSE BILL NO. 423 BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

RELATING TO WOLF CONTROL; AMENDING TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 53, TITLE 22, IDAHO CODE, TO PROVIDE A CHAPTER HEADING, TO PROVIDE FOR THE IDAHO WOLF DEPREDATION CONTROL BOARD, TO PROVIDE FOR OFFICERS, TO PROVIDE FOR MEETINGS, TO PROVIDE FOR COMPENSATION, TO PROHIBIT THE USE OF FUNDS FOR CERTAIN PURPOSES, TO PROVIDE FOR REIMBURSEMENT OF EXPENSES, TO DEFINE TERMS, TO PROVIDE FOR POWERS AND DUTIES,

TO CLARIFY THAT CONTROL OF WOLVES UNDER SPECIFIED LAW DOES NOT INCLUDE THE PAYMENT OF COMPENSATION FOR DAMAGES, TO PROVIDE THAT CONTROL ACTIVITIES SHALL BE CONSISTENT WITH SPECIFIED LAW, TO PROVIDE FOR THE WOLF CONTROL FUND, TO PROVIDE FOR SUBACCOUNTS, TO PROVIDE FOR THE WOLF CONTROL SECONDARY FUND, TO PROVIDE FOR THE COLLECTION AND DEPOSIT OF WOLF CONTROL ASSESSMENTS BY THE STATE BRAND INSPECTOR AND THE IDAHO SHEEP AND GOAT HEALTH BOARD, TO PROVIDE FOR THE USE OF CERTAIN FUNDS, TO PROVIDE FOR THE TRANSFER OF SPECIFIED MONEYS FROM THE FISH AND GAME FUND TO THE FISH AND GAME FUND TRANSFER SUBACCOUNT, TO AUTHORIZE THE IDAHO FISH AND GAME COMMISSION TO DIRECT THE WOLF DEPREDAATION CONTROL BOARD AS TO USE OF CERTAIN FUNDS, TO PROVIDE THAT THE WOLF DEPREDAATION CONTROL BOARD SHALL COMPLY WITH THE DIRECTION OF THE COMMISSION AND TO PROVIDE AN EXCEPTION TO SPECIFIED REQUIREMENTS FOR COLLECTION OF WOLF CONTROL ASSESSMENTS DURING A SPECIFIC TIME PERIOD; AMENDING CHAPTER 1, TITLE 36, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 36-125, IDAHO CODE, TO PROVIDE THAT THE FISH AND GAME COMMISSION SHALL COMPLY WITH SPECIFIED LAW IN PROVIDING THE WOLF DEPREDAATION CONTROL BOARD WITH DIRECTION FOR USE OF CERTAIN FISH AND GAME FUNDS; AMENDING SECTION 25-130, IDAHO CODE, TO PROVIDE THAT WOLF CONTROL ASSESSMENTS SHALL NOT BE CONSIDERED SPECIAL ASSESSMENTS SUBJECT TO CERTAIN EFFECTIVE DATE PROVISIONS; AMENDING SECTION 25-131, IDAHO CODE, TO PROVIDE FOR WOLF CONTROL ASSESSMENTS BY THE IDAHO SHEEP AND GOAT HEALTH BOARD; AMENDING SECTION 25-1145, IDAHO CODE, TO INCREASE THE MAXIMUM FEE THAT THE STATE BRAND INSPECTOR MAY IMPOSE FOR BRAND RENEWAL AND TO PROVIDE THAT A SPECIFIED AMOUNT OF THE FEE SHALL BE CONSIDERED A WOLF CONTROL ASSESSMENT; TO PROVIDE FOR NONSEVERABILITY; AND DECLARING AN EMERGENCY.

#### **HOUSE BILL NO. 424**

##### **BY RESOURCES AND CONSERVATION COMMITTEE AN ACT**

RELATING TO IRRIGATION DISTRICT DIRECTOR ELECTIONS; AMENDING SECTION 43-201A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CIRCUMSTANCES UNDER WHICH AN ELECTION SHALL NOT BE REQUIRED, TO REMOVE PROVISIONS RELATING TO DELIVERY OF CERTAIN CERTIFICATES OF ELECTION TO A CANDIDATE DECLARED ELECTED BY THE BOARD AND TO PROVIDE FOR CONTINUATION OF INCUMBENT DIRECTORS' TERMS OF OFFICE UNDER CERTAIN CIRCUMSTANCES.

#### **HOUSE BILL NO. 425**

##### **BY RESOURCES AND CONSERVATION COMMITTEE AN ACT**

RELATING TO WATER DISTRICTS; AMENDING SECTION 42-612, IDAHO CODE, TO PROVIDE THAT WATER USERS MAY PROVIDE FOR AN ANNUAL MINIMUM CHARGE NOT TO EXCEED TWO HUNDRED FIFTY DOLLARS PER WATER USER FOR WATERMASTER SERVICES.

#### **HOUSE BILL NO. 426 BY STATE AFFAIRS COMMITTEE AN ACT**

RELATING TO THE FREE EXERCISE OF RELIGION; AMENDING CHAPTER 4, TITLE 73, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 73-405, IDAHO CODE, TO PROHIBIT ANY OCCUPATIONAL LICENSING BOARD OR GOVERNMENTAL SUBDIVISION OR ENTITY FROM DENYING, REVOKING OR SUSPENDING A PERSON'S PROFESSIONAL OR OCCUPATIONAL LICENSE, CERTIFICATE OR REGISTRATION DUE TO CERTAIN CONDUCT, TO CLARIFY THAT SPECIFIED PROVISIONS ARE NOT A DEFENSE TO AND DO NOT AUTHORIZE THE INTENTIONAL INFLICTION OF EMOTIONAL OR PHYSICAL INJURY UPON ANY PERSON AND TO PROVIDE THAT SPECIFIED PROVISIONS DO NOT AUTHORIZE VIOLATION OF CERTAIN DESIGNATED LAWS.

#### **HOUSE BILL NO. 427 BY STATE AFFAIRS COMMITTEE AN ACT**

RELATING TO THE FREE EXERCISE OF RELIGION; AMENDING SECTION 73-402, IDAHO CODE, TO PROVIDE THAT A PERSON WHOSE EXERCISE OF RELIGION IS BURDENED IN VIOLATION OF SPECIFIED LAW MAY OBTAIN APPROPRIATE RELIEF AGAINST ANY PERSON RELYING UPON ANY GOVERNMENT ACTION, ENACTMENT OR LAW THAT BURDENS A PERSON'S EXERCISE OF RELIGION.

#### **HOUSE BILL NO. 428 BY EDUCATION COMMITTEE AN ACT**

RELATING TO PUBLIC SCHOOLS; AMENDING SECTION 33-507, IDAHO CODE, TO REVISE AUTHORITY OF TRUSTEES OF SCHOOL DISTRICTS REGARDING THE EMPLOYMENT OF A SPOUSE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-514A, IDAHO CODE, TO PROVIDE AN ADDITIONAL GROUND WHEN A CATEGORY 1 LIMITED CONTRACT MAY BE ISSUED; AND AMENDING SECTION 33-5204, IDAHO CODE, TO REVISE AUTHORITY OF THE BOARD OF DIRECTORS OF A PUBLIC CHARTER SCHOOL REGARDING THE EMPLOYMENT OF A SPOUSE AND TO MAKE TECHNICAL CORRECTIONS.

#### **HOUSE BILL NO. 429 BY EDUCATION COMMITTEE AN ACT**

RELATING TO STUDENT RESIDENCY; AMENDING SECTION 33-2110B, IDAHO CODE, TO REVISE A DEFINITION AND TO REVISE PROVISIONS RELATING TO A PERSON ON MILITARY ORDERS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 33-3717B, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A RESIDENT STUDENT WHO IS A MEMBER OF AN IDAHO NATIVE AMERICAN INDIAN TRIBE AND TO MAKE TECHNICAL CORRECTIONS.

[H 421](#), [H 422](#), [H 423](#), [H 424](#), [H 425](#), [H 426](#), [H 427](#), [H 428](#), and [H 429](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.



[S 1216](#), [S 1217](#), and [S 1218](#), by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

### Second Reading of Bills and Joint Resolutions

[H 381](#) and [H 384](#), by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that [H 367](#) be returned to the Transportation and Defense Committee. There being no objection, it was so ordered.

### [H 366](#) - NATIONAL GUARD

[H 366](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hixon to open debate.

The question being, "Shall [H 366](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 68.

NAYS – None.

Absent – Collins, Palmer. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 366](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [S 1210](#) - APPROPRIATIONS - DEFICIENCY WARRANTS

[S 1210](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall [S 1210](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 67.

NAYS – None.

Absent – Bateman, Collins, Palmer. Total – 3.

Total – 70.

Whereupon the Speaker declared that [S 1210](#) passed the House. Title was approved and the bill ordered returned to the Senate.

### [H 407](#) - APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION

[H 407](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thompson to open debate.

The question being, "Shall [H 407](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 68.

NAYS – None.

Absent – Collins, Palmer. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 407](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 358](#) - RISK-BASED CAPITAL FOR INSURERS

[H 358](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Youngblood to open debate.

The question being, "Shall [H 358](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Bateman, Batt, Bell, Bolz, Burgoyne, Chew, Clow, Crane, Erpelding, Eskridge, Gannon, Gibbs, Hancey, Hartgen, Henderson, Hixon, Horman, Kauffman, King, Kloc, Malek, McDonald, Meline, Miller, Monks, Morse, Moyle, Packer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Smith, Stevenson, Thompson, VanOrden, Wills, Wood(27), Woodings, Youngblood, Mr. Speaker. Total – 48.

NAYS – Andrus, Barbieri, Barrett, Boyle, Dayley, DeMordaunt, Denney, Gestrin, Harris, Holtzclaw, Loertscher, Luker, McMillan, Mendive, Nielsen, Shepherd, Sims, Trujillo, Vander Woude, Wood(35). Total – 20.

Absent – Collins, Palmer. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 358](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 360 - ARCHITECTS**

**H 360** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

The question being, "Shall **H 360** pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, Meline, Miller, Monks, Morse, Moyle, Packer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Woodings, Youngblood, Mr. Speaker. Total – 61.

NAYS – Barbieri, Harris, McMillan, Mendive, Nielsen, Sims, Wood(35). Total – 7.

Absent – Collins, Palmer. Total – 2.

Total – 70.

Whereupon the Speaker declared that **H 360** passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Wednesday, January 29, 2014. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:45 a.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SECOND LEGISLATURE

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TWENTY-FOURTH LEGISLATIVE DAY  
WEDNESDAY, JANUARY 29, 2014

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 68 members present.  
Absent – Collins, Nielsen. Total – 2.  
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Anthony Sein, Page.

### Approval of Journal

January 29, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-third Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

### Report of Standing Committees

January 29, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 421](#), [H 422](#), [H 423](#), [H 424](#), [H 425](#), [H 426](#), [H 427](#), [H 428](#), and [H 429](#).

WILLS, Chairman

[H 421](#) was referred to the Business Committee.

[H 422](#) was referred to the Judiciary, Rules, and Administration Committee.

[H 423](#), [H 424](#), and [H 425](#) were referred to the Resources and Conservation Committee.

[H 426](#) and [H 427](#) were referred to the State Affairs Committee.

[H 428](#) and [H 429](#) were referred to the Education Committee.

January 28, 2014

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY, AND TECHNOLOGY, report that we have had under consideration [H 406](#) and recommend that it do pass.

RAYBOULD, Chairman

[H 406](#) was filed for second reading.

January 29, 2014

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 368](#) and [H 380](#) and recommend that they do pass.

LOERTSCHER, Chairman

[H 368](#) and [H 380](#) were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 430

#### BY AGRICULTURAL AFFAIRS COMMITTEE AN ACT

RELATING TO STATE NOXIOUS AND INVASIVE WEED AWARENESS; AMENDING CHAPTER 45, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-4513, IDAHO CODE, TO PROVIDE THAT ANNUALLY THE WEEK PRIOR TO THE MEMORIAL DAY WEEKEND SHALL BE IDAHO NOXIOUS AND INVASIVE WEED AWARENESS WEEK; AND DECLARING AN EMERGENCY.

#### HOUSE BILL NO. 431

#### BY AGRICULTURAL AFFAIRS COMMITTEE AN ACT

RELATING TO DOMESTIC CERVIDAE; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3704A, IDAHO CODE, TO PROVIDE FOR THE TESTING AND EXAMINATION FOR CHRONIC WASTING DISEASE OF THE BRAIN TISSUE OF CERTAIN DOMESTIC CERVIDAE, TO PROVIDE EXCEPTIONS AND TO PROVIDE THAT ONE HUNDRED PERCENT OF BRAIN TISSUE SAMPLES MAY STILL BE SUBMITTED TO MAINTAIN EXPORT STATUS; AMENDING SECTION 25-3705, IDAHO CODE, TO PROVIDE FOR CERVIDAE RANCHES, TO PROVIDE FOR INVENTORY AND FACILITY INSPECTION OF FARMS AND RANCHES AND TO PROVIDE THAT CERTAIN FACILITIES SHALL BE INSPECTED PURSUANT TO FEDERAL RULES; AMENDING SECTION 25-3708, IDAHO CODE, TO REVISE FEE PROVISIONS, TO PROVIDE FOR APPLICABILITY OF CERTAIN FEE PROVISIONS, TO PROVIDE FOR FEES FOR DOMESTIC CERVIDAE THAT ARE IMPORTED, EXPORTED AND TRANSFERRED, TO PROVIDE FOR THE PAYMENT OF FEES, TO PROVIDE FOR AN EXEMPTION FROM FEES, TO PROVIDE CORRECT TERMINOLOGY AND TO PROVIDE THAT FEES SHALL BE USED SOLELY FOR SPECIFIED PURPOSES; AND DECLARING AN EMERGENCY.

[H 430](#) and [H 431](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

### Second Reading of Bills and Joint Resolutions

[H 397](#), by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

[H 348](#), [H 349](#), and [H 350](#), by Health and Welfare Committee, were read the second time by title and filed for third reading.

[SCR 132](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[H 361](#), [H 362](#), and [H 385](#), by Education Committee, were read the second time by title and filed for third reading.

[S 1216](#), [S 1217](#), and [S 1218](#), by Finance Committee, were read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

#### [H 381](#) - VETERANS SERVICES

[H 381](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Trujillo to open debate.

The question being, "Shall [H 381](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 68.

NAYS – None.

Absent – Collins, Nielsen. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 381](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 384](#) - INCOME TAX

[H 384](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Agidius to open debate.

The question being, "Shall [H 384](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo,

VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 68.

NAYS – None.

Absent – Collins, Nielsen. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 384](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Thursday, January 30, 2014. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:15 a.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SECOND LEGISLATURE

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**TWENTY-FIFTH LEGISLATIVE DAY  
THURSDAY, JANUARY 30, 2014**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent – Collins, Hartgen. Total – 2.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Jake Wright, Page.

### Approval of Journal

January 30, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-fourth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

### Report of Standing Committees

January 30, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 430](#) and [H 431](#).

WILLS, Chairman

[H 430](#) and [H 431](#) were referred to the Agricultural Affairs Committee.

January 29, 2014

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 354](#), [H 355](#), and [H 356](#) and recommend that they do pass.

WOOD(27), Chairman

[H 354](#), [H 355](#), and [H 356](#) were filed for second reading.

January 29, 2014

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration [H 408](#) and recommend that it do pass.

HARTGEN, Chairman

[H 408](#) was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 432

#### BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

#### AN ACT

RELATING TO COURT DETERMINATION OF INDIGENCY; AMENDING SECTION 19-854, IDAHO CODE, TO PROVIDE THAT RECEIPT OF A SUBSIDY THROUGH THE IDAHO HEALTH INSURANCE EXCHANGE ESTABLISHED PURSUANT TO CHAPTER 61, TITLE 41, IDAHO CODE, SHALL NOT BE CONSIDERED A FACTOR FOR PURPOSES OF A COURT'S DETERMINATION OF INDIGENCY.

#### HOUSE BILL NO. 433

#### BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

#### AN ACT

RELATING TO SCRAP METAL BUSINESSES; AMENDING SECTION 54-2701, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 54-2702, IDAHO CODE, TO REVISE REQUIREMENTS FOR RECORDS FOR PURCHASING NONFERROUS OR STAINLESS STEEL METAL PROPERTY FROM THE GENERAL PUBLIC; AMENDING SECTION 54-2704, IDAHO CODE, TO PROVIDE A CERTAIN RECORD RETENTION TIME REQUIREMENT; AMENDING SECTION 54-2705, IDAHO CODE, TO REVISE REQUIREMENTS FOR REPORTING TO LAW ENFORCEMENT; AMENDING SECTION 54-2706, IDAHO CODE, TO REVISE REQUIREMENTS FOR PRESERVING EVIDENCE OF METAL THEFT AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-2707, IDAHO CODE, TO REVISE PROVISIONS REGARDING UNLAWFUL VIOLATIONS AND LIABILITY; AND AMENDING SECTION 54-2708, IDAHO CODE, TO REVISE EXEMPTIONS.

#### HOUSE BILL NO. 434

#### BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

#### AN ACT

RELATING TO PUNISHMENT FOR INFRACTION; AMENDING SECTION 18-111, IDAHO CODE, TO INCREASE THE MAXIMUM PENALTY AMOUNT FOR AN INFRACTION; AMENDING SECTION 18-113A, IDAHO CODE, TO INCREASE THE MAXIMUM PENALTY AMOUNT FOR AN INFRACTION AND TO PROVIDE ADDITIONAL PROVISIONS RELATING TO THE PENALTY FOR AN INFRACTION; AMENDING SECTION 19-1902, IDAHO CODE, TO REMOVE PROVISIONS RELATING TO AN INFRACTION PENALTY; AMENDING SECTION 49-110, IDAHO CODE, TO INCREASE THE MAXIMUM PENALTY AMOUNT FOR AN INFRACTION; AND AMENDING SECTION 49-1503, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE PENALTY FOR A CERTAIN INFRACTION.



**HOUSE BILL NO. 435**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
**AN ACT**

RELATING TO LOCAL LAND USE PLANNING; AMENDING SECTION 67-6527, IDAHO CODE, TO REMOVE LANGUAGE RELATING TO A MISDEMEANOR, TO PROVIDE FOR AN INFRACTION, TO PROVIDE FOR AN ENFORCEMENT ACTION, TO PROVIDE THAT WHERE PROPERTY HAS BEEN MADE NONCONFORMING BY THE EXERCISE OF EMINENT DOMAIN IT SHALL NOT BE A VIOLATION AND NO PENALTY OR COMPLIANCE ENFORCEMENT ACTION SHALL RESULT, TO REVISE PROVISIONS RELATING TO A GOVERNING BOARD; AND TO PROVIDE FOR THE APPLICATION OF LAW.

**HOUSE BILL NO. 436**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
**AN ACT**

RELATING TO THE IDAHO BUILDING CODE ACT; AMENDING SECTION 39-4126, IDAHO CODE, TO PROVIDE FOR AN INFRACTION, TO REMOVE LANGUAGE RELATING TO A MISDEMEANOR AND TO PROVIDE THAT THIS SECTION SHALL NOT AFFECT CERTAIN PENALTY PROVISIONS.

[H 432](#), [H 433](#), [H 434](#), [H 435](#), and [H 436](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

[H 406](#), by Environment, Energy, and Technology Committee, was read the second time by title and filed for third reading.

[H 368](#) and [H 380](#), by State Affairs Committee, were read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

**[H 397](#) - SUPPLEMENTAL RETIREMENT SYSTEM**

[H 397](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Harris to open debate.

The question being, "Shall [H 397](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 67.

NAYS – None.

Absent – Anderson(01), Collins, Hartgen. Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 397](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[H 348](#) - UNIFORM CONTROLLED SUBSTANCES**

[H 348](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Chew to open debate.

The question being, "Shall [H 348](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 68.

NAYS – None.

Absent – Collins, Hartgen. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 348](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[H 349](#) - UNIFORM CONTROLLED SUBSTANCES**

[H 349](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Chew to open debate.

The question being, "Shall [H 349](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 68.

NAYS – None.

Absent – Collins, Hartgen. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 349](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[H 350](#) - BOARD OF PHARMACY**

[H 350](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Chew to open debate.

The question being, "Shall [H 350](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Bateman, Bell, Bolz, Burgoyne, Chew, Clow, Crane, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, Meline, Miller, Morse, Packer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Sims, Smith, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Woodings, Youngblood, Mr. Speaker. Total – 53.

NAYS – Barbieri, Barrett, Batt, Boyle, Dayley, Harris, McMillan, Mendive, Monks, Moyle, Nielsen, Palmer, Shepherd, Stevenson, Wood(35). Total – 15.

Absent – Collins, Hartgen. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 350](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [SCR 132](#) - JUDGE EDWARD LODGE

[SCR 132](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Batt to open debate.

The question being, "Shall [SCR 132](#) be adopted?"

Whereupon the Speaker declared [SCR 132](#) adopted by voice vote and ordered the resolution returned to the Senate.

### [H 361](#) - PROPRIETARY SCHOOLS

[H 361](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Harris to open debate.

The question being, "Shall [H 361](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Rubel, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 66.

NAYS – Romrell, Rusche. Total – 2.

Absent – Collins, Hartgen. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 361](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 362](#) - EDUCATION

[H 362](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. McDonald to open debate.

The question being, "Shall [H 362](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 68.

NAYS – None.

Absent – Collins, Hartgen. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 362](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 385](#) - PUBLIC SCHOOL FACILITIES COOPERATIVE FUNDING PROGRAM

[H 385](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Rubel to open debate.

The question being, "Shall [H 385](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Harris, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, Meline, Mendive, Miller, Morse, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Smith, Stevenson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 60.

NAYS – Barrett, Denney, Hancey, McMillan, Monks, Moyle, Sims, Thompson. Total – 8.

Absent – Collins, Hartgen. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 385](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [S 1216](#) - APPROPRIATIONS - FISH AND GAME DEPARTMENT

[S 1216](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gibbs to open debate.



The question being, "Shall [S 1216](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Bateman, Bell, Bolz, Burgoyne, Chew, DeMordaunt, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Henderson, Hixon, Horman, King, Kloc, Loertscher, Luker, Malek, McDonald, Meline, Miller, Morse, Moyle, Packer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Smith, Stevenson, Thompson, Trujillo, VanOrden, Wills, Wood(27), Woodings, Youngblood, Mr. Speaker. Total – 48.

NAYS – Barbieri, Barrett, Batt, Boyle, Clow, Crane, Dayley, Denney, Harris, Holtzclaw, Kauffman, McMillan, Mendive, Monks, Nielsen, Palmer, Shepherd, Sims, Vander Woude, Wood(35). Total – 20.

Absent – Collins, Hartgen. Total – 2.

Total – 70.

Whereupon the Speaker declared that [S 1216](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### **[S 1217](#) - APPROPRIATIONS - COMMISSION FOR PARDONS AND PAROLE**

[S 1217](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall [S 1217](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 68.

NAYS – None.

Absent – Collins, Hartgen. Total – 2.

Total – 70.

Whereupon the Speaker declared that [S 1217](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### **[S 1218](#) - APPROPRIATIONS - OFFICE OF STATE APPELLATE PUBLIC DEFENDER**

[S 1218](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall [S 1218](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc,

Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 68.

NAYS – None.

Absent – Collins, Hartgen. Total – 2.

Total – 70.

Whereupon the Speaker declared that [S 1218](#) passed the House. Title was approved and the bill ordered returned to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

#### **Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Friday, January 31, 2014. Seconded by Mr. Crane. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:03 p.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SECOND LEGISLATURE

**TWENTY-SIXTH LEGISLATIVE DAY  
FRIDAY, JANUARY 31, 2014**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 63 members present.

Absent – Anderson(01), Barbieri, Collins, Denney, McMillan, Palmer, Rusche. Total – 7.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Sara Garcia, Page.

### Approval of Journal

January 31, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-fifth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

### Consideration of Messages from the Governor and the Senate

January 30, 2014

Mr. Speaker:

I transmit herewith enrolled [S 1210](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [S 1210](#) and, when so signed, ordered it returned to the Senate.

January 30, 2014

Mr. Speaker:

I transmit herewith [SCR 133](#), [S 1245](#), [S 1220](#), and [S 1214](#) which have passed the Senate.

NOVAK, Secretary

[SCR 133](#), [S 1245](#), [S 1220](#), and [S 1214](#) were filed for first reading.

### Report of Standing Committees

January 31, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 432](#), [H 433](#), [H 434](#), [H 435](#), and [H 436](#).

WILLS, Chairman

[H 432](#), [H 433](#), [H 434](#), [H 435](#), and [H 436](#) were referred to the Judiciary, Rules, and Administration Committee.

January 30, 2014

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 389](#) and recommend that it do pass.

PALMER, Chairman

[H 389](#) was filed for second reading.

January 30, 2014

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY, AND TECHNOLOGY, report that we have had under consideration [H 390](#), [H 391](#), [H 392](#), and [H 405](#) and recommend that they do pass.

RAYBOULD, Chairman

[H 390](#), [H 391](#), [H 392](#), and [H 405](#) were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

#### HOUSE JOINT MEMORIAL NO. 4 BY AGRICULTURAL AFFAIRS COMMITTEE

##### A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES AND TO THE COMMISSIONER OF THE UNITED STATES FOOD AND DRUG ADMINISTRATION.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Sixty-second Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the Food Safety Modernization Act (FSMA) was approved by Congress in 2010 and signed into law in 2011; and

WHEREAS, the Food and Drug Administration (FDA) has issued proposed rules to implement FSMA; and

WHEREAS, the FDA's proposed Produce Rule would require that irrigation water used to grow over 200 varieties of fresh produce must meet numeric water quality standards for primary contact recreation; and

WHEREAS, the proposed rule would further require water users to test their irrigation water and immediately cease the use of irrigation water that does not meet the numeric water quality standards for primary contact recreation; and

WHEREAS, the proposed rule would further require water users to treat irrigation water so that it meets the required recreation standard, or to obtain an alternative irrigation water supply that meets the standard; and

WHEREAS, compliance with the proposed rule would be impossible or impractical throughout much of Idaho; and

WHEREAS, application of the proposed rule would eliminate many existing surface irrigation water supplies from continued use for the growing of fresh produce in Idaho.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-second Idaho Legislature, the House of Representatives and the Senate

concurring therein, that we oppose the FDA's proposed Produce Rule or the adoption of any numeric water quality standard for irrigation water.

BE IT FURTHER RESOLVED that we support the enactment of legislation by Congress to prohibit the FDA from adopting the proposed Produce Rule or any numeric water quality standard for irrigation water.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, the congressional delegation representing the State of Idaho in the Congress of the United States and the Commissioner of the United States Food and Drug Administration.

**HJM 4** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**SCR 133**, by Resources and Environment Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

#### **Introduction, First Reading, and Reference of Bills and Joint Resolutions**

#### **HOUSE BILL NO. 437 BY LOCAL GOVERNMENT COMMITTEE AN ACT**

RELATING TO LOCAL LAND USE PLANNING; AMENDING SECTION 67-6508, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE COMMUNITY DESIGN COMPONENT FOR COMPREHENSIVE PLANS AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 67-6511, IDAHO CODE, TO PROHIBIT REQUIRED ADHERENCE TO SPECIFIC EXTERIOR DESIGN AESTHETICS OR BEAUTIFICATION THAT EXCEED PUBLIC SAFETY REQUIREMENTS FOR COMMERCIAL OR INDUSTRIAL CONSTRUCTION USES, TO RESTRICT APPLICABILITY OF THE LIMITATION, TO PROVIDE THAT ORDINANCES MAY ESTABLISH CERTAIN STANDARDS FOR STRUCTURES WITHIN DESIGNATED HISTORICAL DISTRICTS AND TO PROVIDE THAT DESIGN STANDARDS SHALL BE CLEAR, ASCERTAINABLE AND NOT BASED UPON SUBJECTIVE CONSIDERATIONS.

**H 437** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1245**, by Finance Committee, was introduced, read the first time by title, and filed for second reading.

**S 1220**, by Resources and Environment Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

**S 1214**, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

There being no objection, the House advanced to the Tenth Order of Business.

#### **Second Reading of Bills and Joint Resolutions**

**H 354**, **H 355**, and **H 356**, by Health and Welfare Committee, were read the second time by title and filed for third reading.

**H 408**, by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

#### **Third Reading of Bills and Joint Resolutions**

Mr. Loertscher asked unanimous consent that **H 368** be placed on General Orders for consideration. There being no objection it was so ordered.

#### **H 406 - ENVIRONMENTAL QUALITY**

**H 406** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Monks to open debate.

The question being, "Shall **H 406** pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(31), Anderst, Andrus, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 62.

NAYS – None.

Absent – Anderson(01), Barbieri, Collins, Denney, McMillan, Palmer, Rusche, Wills. Total – 8.

Total – 70.

Whereupon the Speaker declared that **H 406** passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### **H 380 - HISTORICAL HORSE RACES**

**H 380** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Luker to open debate.

The question being, "Shall **H 380** pass?"

Roll call resulted as follows:

AYES – Andrus, Bateman, Batt, Bell, Boyle, Burgoyne, Crane, Dayley, DeMordaunt, Gannon, Harris, Holtzclaw, Loertscher, Luker, Mendive, Monks, Moyle, Nielsen, Packer, Palmer, Pence, Ringo, Shepherd, Sims, Stevenson, Trujillo, Vander Woude, Wood(35), Youngblood. Total – 29.

NAYS – Agidius, Anderson(31), Anderst, Barbieri, Barrett, Bolz, Chew, Clow, Erpelding, Eskridge, Gestrin, Gibbs, Hancey, Hartgen, Henderson, Hixon, Horman, Kauffman, King, Kloc, Malek, McDonald, Meline, Miller, Morse, Perry, Raybould, Romrell, Rubel, Rusche, Smith, Thompson, VanOrden, Wood(27), Woodings, Mr. Speaker. Total – 36.

Absent – Anderson(01), Collins, Denney, McMillan, Wills. Total – 5.

Paired Votes:

AYE – Gannon

NAY – Rusche

AYE – Crane

NAY – Barbieri

AYE – Palmer

NAY – Agidius

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that [H 380](#) failed to pass the House and ordered the bill filed in the office of the Chief Clerk.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Monday, February 3, 2014. Seconded by Mr. Burgoyne. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:44 a.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SECOND LEGISLATURE

—————  
TWENTY-NINTH LEGISLATIVE DAY  
MONDAY, FEBRUARY 3, 2014

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 68 members present.  
Absent – Nielsen, Thompson. Total – 2.  
Total – 70.

Prayer was offered by Representative Raybould.

The Pledge of Allegiance was led by Katelyn Manker, Page.

### Approval of Journal

February 3, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-sixth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

### Consideration of Messages from the Governor and the Senate

January 31, 2014

Mr. Speaker:

I transmit herewith [S 1215](#) which has passed the Senate.

NOVAK, Secretary

[S 1215](#) was filed for first reading.

January 31, 2014

Mr. Speaker:

I return herewith [H 386](#), [H 387](#), and [H 388](#) which have passed the Senate.

NOVAK, Secretary

[H 386](#), [H 387](#), and [H 388](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

February 3, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HJM 4](#) and [H 437](#).

WILLS, Chairman

[HJM 4](#) was referred to the Agricultural Affairs Committee.

[H 437](#) was referred to the Local Government Committee.

January 31, 2014

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 352](#), [H 353](#), and [H 357](#) and recommend that they do pass.

WOOD(27), Chairman

[H 352](#), [H 353](#), and [H 357](#) were filed for second reading.

February 3, 2014

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 377](#) and recommend that it do pass.

COLLINS, Chairman

[H 377](#) was filed for second reading.

February 3, 2014

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 378](#), [H 379](#), and [H 429](#) and recommend that they do pass.

DEMORDAUNT, Chairman

[H 378](#), [H 379](#), and [H 429](#) were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

Mr. Hancey moved to rescind the decision whereby [H 380](#) failed to pass the House.

Mr. Hancey requested unanimous consent to withdraw the motion. With no objections, it was so ordered.

### HOUSE CONCURRENT RESOLUTION NO. 38 BY STATE AFFAIRS COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND COMMEMORATING 2014 AS THE SIXTIETH ANNIVERSARY OF THE ADDITION OF THE PHRASE "UNDER GOD" TO THE PLEDGE OF ALLEGIANCE AND TO HIGHLIGHT ITS LEGACY TO AMERICAN CITIZENS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, on February 7, 1954, President Dwight D. Eisenhower became convinced that adding the words "under God" to the United States Pledge of Allegiance would be the right thing to do after hearing Reverend George Docherty preach that the phrase "nation under God" was first used in the Gettysburg Address and was appropriate to be added to the United States Pledge of Allegiance because freedom "is defined by a fundamental belief in God"; and

WHEREAS, on February 10, 1954, a bill to "amend the Pledge of Allegiance to the Flag of the United States of America" by inserting the words "under God" was introduced in the United States Congress in a Joint Resolution by Senator Homer Ferguson; and

WHEREAS, upon introduction of the bill, Senator Ferguson commented, "I believe this modification of the pledge is important because it highlights one of the real fundamental differences between the free world and the Communist world, namely, belief in God," furthering that with, "Our nation is founded on a fundamental belief in God, and the first and most



important reason for the existence of our Government is to protect the God-given rights of our citizens,"; and

WHEREAS, the vote to add "under God" to the Pledge of Allegiance was a unanimous vote; and

WHEREAS, the Pledge of Allegiance is an integral part of this nation's identity, introduced to American children in their primary years and recited at major national events, and the inclusion of "under God" to its bold and moving language demonstrates our commitment to the spiritual values on which the United States was founded.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-second Idaho Legislature, the House of Representatives and the Senate concurring therein, that we do hereby commemorate and recognize the year of 2014 as the sixtieth anniversary of "under God" in the Pledge of Allegiance and that Idaho citizens be encouraged to learn more about this chapter in their history.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives shall furnish copies of this resolution to the Idaho Capitol Correspondents.

**HCR 38** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 438  
BY HEALTH AND WELFARE COMMITTEE  
AN ACT**

RELATING TO MIDWIFERY; AMENDING SECTION 54-5502, IDAHO CODE, TO DEFINE TERMS; AMENDING SECTION 54-5505, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE BOARD OF MIDWIFERY'S RULEMAKING RESPONSIBILITIES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 5, CHAPTER 65, LAWS OF 2009, TO REVISE A SUNSET DATE; AND AMENDING SECTION 37, CHAPTER 79, LAWS OF 2010, TO REVISE A SUNSET DATE.

**HOUSE BILL NO. 439  
BY HEALTH AND WELFARE COMMITTEE  
AN ACT**

RELATING TO PUBLIC ASSISTANCE; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-209q, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND WELFARE SHALL USE TECHNOLOGICAL TOOLS TO INVESTIGATE, AUDIT AND CONTROL FRAUD IN MEDICAID AND PUBLIC ASSISTANCE PROGRAMS, TO PROVIDE FOR ACTIVITIES TO REDUCE FRAUD, WASTE AND ABUSE, TO PROVIDE RULEMAKING AUTHORITY, TO AUTHORIZE THE DEPARTMENT TO UTILIZE FEDERAL FUNDING WHEN AVAILABLE AND TO PROVIDE FOR ANNUAL REPORTING BY THE DEPARTMENT; AND PROVIDING SEVERABILITY.

**HOUSE BILL NO. 440  
BY REVENUE AND TAXATION COMMITTEE  
AN ACT**

RELATING TO PROPERTY TAXES; AMENDING CHAPTER 2, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-205B, IDAHO CODE, TO ESTABLISH SPECIAL PROVISIONS FOR ASSESSMENT OF OPERATING PROPERTY OF RATE REGULATED ELECTRIC UTILITY COMPANIES AND TO PROVIDE FOR

RULES; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 441  
BY REVENUE AND TAXATION COMMITTEE  
AN ACT**

RELATING TO THE TAXATION OF PERSONAL PROPERTY; AMENDING SECTION 33-1103, IDAHO CODE, TO REVISE THE DEFINITION OF "MARKET VALUE FOR ASSESSMENT PURPOSES"; AMENDING SECTION 63-309, IDAHO CODE, TO PROVIDE THAT CERTAIN PROPERTY IS NOT ELIGIBLE FOR THE PERSONAL PROPERTY TAX EXEMPTION; AMENDING SECTION 63-602KK, IDAHO CODE, TO REVISE CERTAIN ADMINISTRATIVE PROVISIONS REGARDING ADMINISTRATION OF THE PERSONAL PROPERTY TAX EXEMPTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-803, IDAHO CODE, TO REVISE THE DEFINITION OF "TAXABLE VALUE"; AMENDING SECTION 63-803, IDAHO CODE, AS ADDED BY SECTION 13, CHAPTER 339, LAWS OF 2012, TO REVISE THE DEFINITION OF "TAXABLE VALUE"; AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE FOR DISTRIBUTION OF SALES TAX MONEYS IF TAXING DISTRICTS ARE CONSOLIDATED, TO PROVIDE FOR THE EFFECT OF TAXING DISTRICTS OR REVENUE ALLOCATION AREAS ANNEXING TERRITORY AND TO PROVIDE FOR TAXING DISTRICT AND REVENUE ALLOCATION AREA INELIGIBILITY TO RECEIVE MONEYS; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION AND PROVIDING EFFECTIVE DATES.

**HOUSE BILL NO. 442  
BY REVENUE AND TAXATION COMMITTEE  
AN ACT**

RELATING TO PROPERTY TAX ADMINISTRATION; AMENDING SECTION 63-110, IDAHO CODE, TO REVISE THE DATE BY WHICH THE STATE TAX COMMISSION SHALL COMPLETE ITS WORK AS THE STATE BOARD OF EQUALIZATION RELATING TO ASSESSMENT OF OPERATING PROPERTY; AMENDING SECTION 63-317, IDAHO CODE, TO REVISE ADMINISTRATION OF THE OCCUPANCY TAX AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-1706, IDAHO CODE, TO REQUIRE THE COUNTY ASSESSOR TO PROVIDE NOTICE TO TAXPAYERS THAT A YIELD TAX IS DUE AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 443  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO ELECTIONS; AMENDING SECTION 31-4306, IDAHO CODE, TO REVISE THE PERIOD OF TIME WITHIN WHICH A CERTAIN DECLARATION IS REQUIRED TO BE FILED AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-313, IDAHO CODE, TO PROVIDE THAT THE STATE BOARD OF EDUCATION HAS CERTAIN NOTICE RESPONSIBILITIES, TO PROVIDE THAT SCHOOL DISTRICTS HAVE CERTAIN FILING RESPONSIBILITIES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-1404, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN NOMINATING PETITIONS AND TO MAKE TECHNICAL

CORRECTIONS; AMENDING SECTION 34-1413, IDAHO CODE, TO REVISE PROVISIONS RELATING TO PROCEDURES FOR CERTAIN POLITICAL SUBDIVISION ELECTIONS TO MODIFY VOTING PROCEDURES; AMENDING SECTION 50-410, IDAHO CODE, TO PROVIDE THAT A PERSON SHALL NOT BE PERMITTED TO FILE A DECLARATION OF CANDIDACY FOR MORE THAN ONE OFFICE IN ANY CITY ELECTION AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 50-412, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CANVASSING VOTES AND DETERMINING RESULTS OF ELECTION.

**HOUSE BILL NO. 444**  
**BY STATE AFFAIRS COMMITTEE**  
**AN ACT**

RELATING TO ELECTIONS; REPEALING SECTION 31-717, IDAHO CODE, RELATING TO COUNTY INITIATIVE AND REFERENDUM, SIGNATURES REQUIRED, PRINTING OF PETITION, REVIEW OF MEASURES AND TIME LIMITS; AMENDING CHAPTER 7, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-717, IDAHO CODE, TO PROVIDE FOR INITIATIVE AND REFERENDUM AND TO PROVIDE MINIMUM REQUIREMENTS OF A CERTAIN ORDINANCE; AMENDING CHAPTER 1, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-111A, IDAHO CODE, TO DEFINE A TERM; AMENDING SECTION 34-439A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO DISCLOSURES IN ELECTIONS TO AUTHORIZE A LEVY; AMENDING SECTION 34-903, IDAHO CODE, TO PROVIDE THAT NO CANDIDATE'S NAME MAY APPEAR ON A BALLOT FOR MORE THAN ONE JUDICIAL OFFICE; AMENDING SECTION 34-1002, IDAHO CODE, TO REMOVE LANGUAGE THAT PROHIBITS AN ELECTOR FROM CHANGING CERTAIN INFORMATION ON AN APPLICATION FOR ABSENTEE BALLOT; AMENDING CHAPTER 11, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-1106A, IDAHO CODE, TO AUTHORIZE COUNTY ADOPTION OF AN ELECTRONIC POLL BOOK AND TO PROVIDE RELATED REQUIREMENTS; AMENDING CHAPTER 18, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-1801B, IDAHO CODE, TO PROVIDE INITIATIVE AND REFERENDUM PROCEDURES FOR LOCAL ENTITIES; AMENDING SECTION 50-501, IDAHO CODE, TO REMOVE REFERENCE TO AN ORDINANCE, TO REVISE THE PERIOD OF TIME WITHIN WHICH PETITIONS FOR REFERENDUM ARE REQUIRED TO BE FILED AND TO PROVIDE A FILING TIME FRAME FOR CERTAIN PETITIONS FOR INITIATIVE; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 445**  
**BY STATE AFFAIRS COMMITTEE**  
**AN ACT**

RELATING TO THE STATE SUNSHINE LAW; AMENDING SECTION 67-6602, IDAHO CODE, TO REVISE THE DEFINITION OF "NONBUSINESS ENTITY" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6606, IDAHO CODE, TO REVISE EXPENDITURE REQUIREMENTS BY NONBUSINESS ENTITIES; AND AMENDING SECTION 67-6621, IDAHO CODE, TO REVISE CERTAIN DUTIES OF LOBBYISTS AND TO MAKE A TECHNICAL CORRECTION.

[H 438](#), [H 439](#), [H 440](#), [H 441](#), [H 442](#), [H 443](#), [H 444](#), and [H 445](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1215](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

[H 389](#), by Transportation and Defense Committee, was read the second time by title and filed for third reading.

[H 390](#), [H 391](#), [H 392](#), and [H 405](#), by Environment, Energy, and Technology Committee, were read the second time by title and filed for third reading.

[S 1245](#), by Finance Committee, was read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

**[H 354](#) - COUNSELORS AND THERAPISTS**

[H 354](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Romrell to open debate.

The question being, "Shall [H 354](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Bateman, Batt, Bell, Bolz, Burgoyne, Chew, Collins, Crane, Erpelding, Eskridge, Gannon, Gibbs, Hancey, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Malek, McDonald, Meline, Miller, Monks, Morse, Moyle, Packer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Smith, Stevenson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 53.

NAYS – Barbieri, Barrett, Boyle, Clow, Dayley, DeMordaunt, Denney, Gestrin, Harris, Luker, McMillan, Mendive, Palmer, Shepherd, Sims. Total – 15.

Absent – Nielsen, Thompson. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 354](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[H 355](#) - SOCIAL WORK LICENSING ACT**

[H 355](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hancey to open debate.

The question being, "Shall [H 355](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Bateman, Batt, Bell, Bolz, Burgoyne, Chew, Collins, Crane, Erpelding, Eskridge, Gannon, Gibbs, Hancey, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc,



Loertscher, Malek, McDonald, Meline, Miller, Monks, Morse, Moyle, Packer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Smith, Stevenson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Woodings, Youngblood, Mr. Speaker. Total – 52.

NAYS – Barbieri, Barrett, Boyle, Clow, Dayley, DeMordaunt, Denney, Gestrin, Harris, Luker, McMillan, Mendive, Palmer, Shepherd, Sims, Wood(35). Total – 16.

Absent – Nielsen, Thompson. Total – 2.  
Total – 70.

Whereupon the Speaker declared that [H 355](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 356](#) - PODIATRISTS

[H 356](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Morse to open debate.

The question being, "Shall [H 356](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barrett, Bateman, Batt, Bell, Bolz, Burgoyne, Chew, Clow, Collins, DeMordaunt, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, Meline, Miller, Morse, Packer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Smith, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Woodings, Youngblood, Mr. Speaker. Total – 53.

NAYS – Barbieri, Boyle, Crane, Dayley, Denney, Harris, McMillan, Mendive, Monks, Moyle, Palmer, Shepherd, Sims, Stevenson, Wood(35). Total – 15.

Absent – Nielsen, Thompson. Total – 2.  
Total – 70.

Whereupon the Speaker declared that [H 356](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 408](#) - PURCHASING DIVISION

[H 408](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Mendive to open debate.

The question being, "Shall [H 408](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Trujillo, VanOrden,

Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 68.

NAYS – None.

Absent – Nielsen, Thompson. Total – 2.  
Total – 70.

Whereupon the Speaker declared that [H 408](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Tuesday, February 4, 2014. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:42 a.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SECOND LEGISLATURE

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THIRTIETH LEGISLATIVE DAY  
TUESDAY, FEBRUARY 4, 2014

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent – Gibbs. Total – 1.

Total – 70.

Prayer was offered by Representative Thompson.

The Pledge of Allegiance was led by Austin Sheffey, Page.

### Approval of Journal

February 4, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-ninth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

### Consideration of Messages from the Governor and the Senate

February 3, 2014

Mr. Speaker:

I transmit herewith enrolled [SCR 132](#), [S 1216](#), [S 1217](#), and [S 1218](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [SCR 132](#), [S 1216](#), [S 1217](#), and [S 1218](#) and, when so signed, ordered them returned to the Senate.

February 3, 2014

Mr. Speaker:

I transmit herewith [S 1235](#), [S 1236](#), and [S 1237](#) which have passed the Senate.

NOVAK, Secretary

[S 1235](#), [S 1236](#), and [S 1237](#) were filed for first reading.

February 3, 2014

Mr. Speaker:

I return herewith [H 407](#) which has passed the Senate.

NOVAK, Secretary

[H 407](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

February 4, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HCR 38](#), [H 438](#), [H 439](#), [H 440](#), [H 441](#), [H 442](#), [H 443](#), [H 444](#), and [H 445](#). WILLS, Chairman

[HCR 38](#), [H 443](#), [H 444](#), and [H 445](#) were referred to the State Affairs Committee.

[H 438](#) and [H 439](#) were referred to the Health and Welfare Committee.

[H 440](#), [H 441](#), and [H 442](#) were referred to the Revenue and Taxation Committee.

February 4, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 386](#), [H 387](#), and [H 388](#).

WILLS, Chairman

The Speaker announced he was about to sign enrolled [H 386](#), [H 387](#), and [H 388](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 3, 2014

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 421](#) and recommend that it do pass.

HENDERSON, Chairman

[H 421](#) was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 446 BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO DIVORCE ACTIONS; AMENDING SECTION 32-717D, IDAHO CODE, TO GRANT THE COURT THE DISCRETION TO AWARD ATTORNEY'S FEES AND COSTS IN CERTAIN CIRCUMSTANCES.

#### HOUSE BILL NO. 447 BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO THE PROTECTION OF PERSONS UNDER DISABILITY; AMENDING SECTION 15-5-209, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN DUTIES OF A GUARDIAN OF A MINOR AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 15-5-312, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN REPORTING REQUIREMENTS OF A GUARDIAN OF AN INCAPACITATED PERSON AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 15-5-314, IDAHO CODE, TO PROVIDE FOR THE COLLECTION, PAYMENT AND DEPOSIT OF CERTAIN MONEYS; REPEALING SECTION 15-5-418, IDAHO CODE, RELATING TO INVENTORY AND RECORDS; AMENDING SECTION

15-5-419, IDAHO CODE, TO REMOVE PROVISIONS RELATING TO ACCOUNTS AND REPORTS OF CERTAIN CONSERVATORS AND GUARDIANS, TO REVISE AND ESTABLISH PROVISIONS RELATING TO REPORTING REQUIREMENTS FOR CONSERVATORS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-3201G, IDAHO CODE, TO RENAME A CERTAIN FUND, TO PROVIDE THAT THE GUARDIANSHIP AND CONSERVATORSHIP PROJECT FUND SHALL CONSIST OF CERTAIN MONEYS AND TO REMOVE ARCHAIC LANGUAGE; AND AMENDING SECTION 66-405, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN DUTIES OF GUARDIANS AND CONSERVATORS AND TO GRANT THE COURT THE AUTHORITY TO REQUIRE A CONSERVATOR TO SUBMIT TO A PHYSICAL CHECK OF THE ESTATE IN HIS CONTROL.

**HOUSE BILL NO. 448**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
 AN ACT

RELATING TO THE RETAIL SALE OF LIQUOR BY THE DRINK; AMENDING SECTION 23-910, IDAHO CODE, TO REVISE PROVISIONS RELATING TO PERSONS NOT QUALIFIED TO BE LICENSED TO SELL LIQUOR BY THE DRINK AT RETAIL AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 449**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
 AN ACT

RELATING TO GARNISHMENTS; AMENDING SECTION 8-507, IDAHO CODE, TO REVISE PROVISIONS RELATING TO SERVICE OF WRIT OF ATTACHMENT, EXECUTION OR GARNISHMENT, TO DEFINE TERMS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 8-507A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO SERVICE ON A DEFENDANT AND THIRD PARTIES BY CERTAIN PERSONS; AMENDING SECTION 8-507C, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE AVAILABILITY OF CERTAIN FORMS, TO REVISE A CERTAIN NOTICE FORM AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 8-507D, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE SERVICE AND MAILING CRITERIA OF CERTAIN DOCUMENTS AND RELATED DUTIES OF THE SHERIFF AND SERVING ATTORNEY; AMENDING SECTION 8-508, IDAHO CODE, TO REVISE PROVISIONS RELATING TO LIABILITY OF A GARNISHEE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 8-509, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A CONTINUING GARNISHMENT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 8-510, IDAHO CODE, TO REVISE PROVISIONS RELATING TO NOTICE OF GARNISHMENT AND DISCHARGE OF A GARNISHEE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 8-521, IDAHO CODE, TO PROVIDE THAT NO SERVING ATTORNEY SHALL BE LIABLE TO BE SUMMONED AS A GARNISHEE; AMENDING SECTION 11-102, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE FORM OF A CERTAIN WRIT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 11-103, IDAHO CODE, TO PROVIDE THAT CERTAIN PROVISIONS APPLY TO A SERVING ATTORNEY AND TO MAKE

TECHNICAL CORRECTIONS; AMENDING SECTION 11-107, IDAHO CODE, TO PROVIDE THAT EXECUTIONS FOR CERTAIN GARNISHMENTS BE ISSUED TO CERTAIN PERSONS, TO REVISE PROVISIONS RELATING TO THE TIMING OF AN EXECUTION ISSUED AGAINST EACH JUDGMENT DEBTOR IN EACH COUNTY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 11-203, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A CLAIM OF EXEMPTION BY DEFENDANT OR THIRD PARTY CLAIM, TO REVISE PROVISIONS RELATING TO A MOTION TO CONTEST A CLAIM, TO REVISE PROVISIONS RELATING TO THE HOLDING AND RELEASING OF PROPERTY BY A SHERIFF OR SERVING ATTORNEY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 11-206, IDAHO CODE, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 11-301, IDAHO CODE, TO PROVIDE THAT CERTAIN PROCEEDS SHALL BE PAID TO THE JUDGMENT CREDITOR AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 11-605, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING CHAPTER 32, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-3203A, IDAHO CODE, TO PROVIDE THAT A SERVING ATTORNEY MAY CHARGE CERTAIN FEES FOR SERVICES.

**HOUSE BILL NO. 450**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
 AN ACT

RELATING TO INATTENTIVE DRIVING; AMENDING SECTION 49-1401, IDAHO CODE, TO PROVIDE ADDITIONAL PROVISIONS RELATING TO INATTENTIVE DRIVING.

[H 446](#), [H 447](#), [H 448](#), [H 449](#), and [H 450](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1235](#), by Local Government and Taxation Committee, was introduced, read the first time by title, and referred to the Local Government Committee.

[S 1236](#) and [S 1237](#), by Local Government and Taxation Committee, were introduced, read the first time by title, and referred to the Revenue and Taxation Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

[H 352](#), [H 353](#), and [H 357](#), by Health and Welfare Committee, were read the second time by title and filed for third reading.

[H 377](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

[H 378](#), [H 379](#), and [H 429](#), by Education Committee, were read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that [H 392](#) retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

**H 389 - TRANSPORTATION - VEHICLES**

**H 389** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood(35) to open debate.

The question being, "Shall **H 389** pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 68.

NAYS – None.

Absent – Gibbs, Sims. Total – 2.

Total – 70.

Whereupon the Speaker declared that **H 389** passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 390 - ENVIRONMENTAL QUALITY DEPARTMENT**

**H 390** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Woodings to open debate.

The question being, "Shall **H 390** pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 69.

NAYS – None.

Absent – Gibbs. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 390** passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 391 - ENVIRONMENTAL QUALITY BOARD**

**H 391** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **H 391** pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 69.

NAYS – None.

Absent – Gibbs. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 391** passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 405 - DRINKING WATER AND WASTEWATER PROFESSIONALS**

**H 405** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nielsen to open debate.

The question being, "Shall **H 405** pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 69.

NAYS – None.

Absent – Gibbs. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 405** passed the House. Title was approved and the bill ordered transmitted to the Senate.

**S 1245 - APPROPRIATION - DEPARTMENT OF CORRECTION**

**S 1245** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1245** pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, Meline, Mendive, Miller,

Monks, Morse, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 65.

NAYS – Barbieri, McMillan, Moyle, Sims. Total – 4.

Absent – Gibbs. Total – 1.

Total – 70.

Whereupon the Speaker declared that [S 1245](#) passed the House. Title was approved and the bill ordered returned to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

### **Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Wednesday, February 5, 2014. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:34 a.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk



# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SECOND LEGISLATURE

THIRTY-FIRST LEGISLATIVE DAY  
WEDNESDAY, FEBRUARY 5, 2014

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Representative Kauffman.

The Pledge of Allegiance was led by Kami Elorrieta, Page.

### Approval of Journal

February 5, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirtieth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

### Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR

### CERTIFICATE OF APPOINTMENT

**KNOW ALL MEN**, that pursuant to the provisions of Section 59-917, Idaho Code, SHIRLEY G. RINGO, State Representative, District 5, Seat B, Benewah County, State of Idaho, has nominated, PAULETTE JORDAN, of Plummer, Idaho, to perform the duties of this office temporarily as Acting State Representative, District 5, Seat B.

**NOW, THEREFORE, I, C.L. "BUTCH" OTTER**, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Paulette Jordan of Plummer, Idaho, to the office of Acting State Representative, District 5, Seat B, for a term commencing February 5, 2014, and continuing through February 7, 2014.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 3rd day of February, in the year of our Lord two thousand and fourteen, and of the Independence of the United States of America, the two hundred and thirty-eighth year.

/s/ C.L. "BUTCH" OTTER  
Governor  
/s/ BEN T. YSURSA  
Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Paulette Jordan.

February 4, 2014

Mr. Speaker:

I transmit herewith [S 1238](#), [S 1227](#), and [S 1239](#) which have passed the Senate.

NOVAK, Secretary

[S 1238](#), [S 1227](#), and [S 1239](#) were filed for first reading.

February 4, 2014

Mr. Speaker:

I return herewith [H 374](#) which has passed the Senate.

NOVAK, Secretary

[H 374](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

February 5, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 446](#), [H 447](#), [H 448](#), [H 449](#), and [H 450](#).

WILLS, Chairman

[H 446](#), [H 447](#), [H 449](#), [H 448](#), and [H 450](#) were referred to the Judiciary, Rules, and Administration Committee.

February 5, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 407](#).

WILLS, Chairman

The Speaker announced he was about to sign enrolled [H 407](#) and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 4, 2014

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 383](#) and [H 420](#) and recommend that they do pass.

COLLINS, Chairman

[H 383](#) and [H 420](#) were filed for second reading.

Mr. Collins asked unanimous consent that [H 420](#) be returned to the Revenue and Taxation Committee. There being no objection, it was so ordered.

February 4, 2014

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 404](#) and [S 1201](#) and recommend that they do pass.

PALMER, Chairman

[H 404](#) and [S 1201](#) were filed for second reading.

February 4, 2014

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration [H 431](#) and recommend that it do pass.

ANDRUS, Chairman

[H 431](#) was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### **Motions, Memorials, and Resolutions**

#### **HOUSE CONCURRENT RESOLUTION NO. 39 BY HEALTH AND WELFARE COMMITTEE A CONCURRENT RESOLUTION**

STATING FINDINGS OF THE LEGISLATURE AND INSTRUCTING THE DEPARTMENT OF HEALTH AND WELFARE TO INVESTIGATE THE CREATION OF A HOSPITAL DISCHARGE DATABASE AND AN ALL PAYER CLAIMS DATABASE AND TO ESTABLISH AN ADVISORY COMMITTEE TO CREATE A PLAN FOR SUCH DATABASES.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Health Quality Planning Commission (HQPC) was established by the Idaho Legislature in 2006 to promote improved quality of care, health outcomes, quality initiatives and patient safety in Idaho through investment in health information technology and other means; and

WHEREAS, over the past several years, the HQPC has examined a range of health issues that affect Idahoans, but efforts have been hampered because the data that is necessary to understand the scope and cost of these health issues in Idaho is not available; and

WHEREAS, in order to establish a complete picture of Idahoans' experiences with the health care system, Idaho and the HQPC need a statewide healthcare database system for collecting and reporting healthcare data; and

WHEREAS, according to the HQPC, a statewide healthcare database system can be done without putting any additional reporting burden on providers as the information is currently collected by providers and reported to payers, and payers would assume primary responsibility for the data reporting; and

WHEREAS, the HQPC states that a statewide healthcare database system would be developed in two simultaneous phases. Phase one would establish a hospital discharge database, and phase two would create an all payer claims database by expanding the collected dataset to include claims data on claims paid by all major public and private payers across the state; and

WHEREAS, the HQPC believes that collecting and distributing such complete, uniform information would give policymakers the information they need to make informed decisions and target investments for state dollars; provide transparency of data in order to identify and make needed improvements; provide the information necessary to assess quality improvement initiatives at the community level; help the public understand provider performance, clinical quality and patient safety standards; support provider efforts to design targeted quality improvement initiatives at the community level; and enable providers to compare their own performance with those of their peers.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-second Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Idaho Department of Health and Welfare is instructed to investigate creating both a hospital discharge database and an all payer claims database.

BE IT FURTHER RESOLVED that the Idaho Department of Health and Welfare shall establish an advisory committee that would create a phased development and implementation plan for both databases and present the proposed plan for funding to the

Idaho Legislature within one year of the commission date. Such a plan would include a recommendation about the framework needed for the databases, describe how it would be governed, estimate costs and propose options for funding.

[HCR 39](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

### **Introduction, First Reading, and Reference of Bills and Joint Resolutions**

#### **HOUSE BILL NO. 451 BY STATE AFFAIRS COMMITTEE AN ACT**

RELATING TO COUNTY RECORDS; REPEALING SECTION 9-331, IDAHO CODE, RELATING TO COUNTY OFFICIALS MANNER OF REPLACING DOCUMENTS OR BOOKS; REPEALING SECTION 9-331A, IDAHO CODE, RELATING TO PHOTOGRAPHIC OR DIGITAL RETENTION OF COUNTY RECORDS AND DISPOSITION OF ORIGINALS; REPEALING SECTION 9-332, IDAHO CODE, RELATING TO DESTRUCTION OF ORIGINALS WHEN NOT LESS THAN ONE YEAR OLD; AND AMENDING CHAPTER 8, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-871A, IDAHO CODE, TO PROVIDE FOR RETENTION OF COUNTY RECORDS USING PHOTOGRAPHIC AND DIGITAL MEDIA.

[H 451](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1238](#), by Local Government and Taxation Committee, was introduced, read the first time by title, and referred to the Local Government Committee.

[S 1227](#), by Transportation Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

[S 1239](#), by Local Government and Taxation Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

There being no objection, the House advanced to the Tenth Order of Business.

### **Second Reading of Bills and Joint Resolutions**

[H 421](#), by Business Committee, was read the second time by title and filed for third reading.

### **Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that the bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.



**Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Thursday, February 6, 2014. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:21 a.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SECOND LEGISLATURE

THIRTY-SECOND LEGISLATIVE DAY  
THURSDAY, FEBRUARY 6, 2014

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Representative Woodings.

The Pledge of Allegiance was led by Julia Horman, Page.

### Approval of Journal

February 6, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-first Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

At this time, the Speaker put the House at ease.

\*\*\*\*\*

The Idaho State Historical Society presented for viewing by the body a "Loving Cup" awarded to Payette County, 110 years ago by the National Irrigation Congress. The cup was awarded to them for their display of "best fruit grown by irrigation."

Representative Bateman spoke briefly about its historical significance.

\*\*\*\*\*

### Consideration of Messages from the Governor and the Senate

February 5, 2014

Mr. Speaker:

I return herewith enrolled [H 386](#), [H 387](#), and [H 388](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [H 386](#), [H 387](#), and [H 388](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 5, 2014

Mr. Speaker:

I return herewith [H 375](#) which has passed the Senate.

NOVAK, Secretary

[H 375](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

February 6, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HCR 39](#) and [H 451](#).

WILLS, Chairman

[HCR 39](#) was referred to the Health and Welfare Committee.

[H 451](#) was referred to the Local Government Committee.

February 6, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 374](#).

WILLS, Chairman

The Speaker announced he was about to sign enrolled [H 374](#) and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 5, 2014

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 427](#) and report it back with amendments attached to be placed on General Orders for consideration.

LOERTSCHER, Chairman

[H 427](#) was placed on General Orders for consideration.

February 6, 2014

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 394](#) and [H 395](#) and recommend that they do pass.

WOOD(27), Chairman

[H 394](#) and [H 395](#) were filed for second reading.

February 6, 2014

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [S 1213](#), [S 1236](#), and [S 1237](#) and recommend that they do pass.

COLLINS, Chairman

[S 1213](#), [S 1236](#), and [S 1237](#) were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

#### HOUSE CONCURRENT RESOLUTION NO. 40 BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

A CONCURRENT RESOLUTION  
STATING FINDINGS OF THE LEGISLATURE AND  
AUTHORIZING THE LEGISLATIVE COUNCIL TO  
APPOINT A COMMITTEE TO UNDERTAKE AND  
COMPLETE A STUDY OF POTENTIAL APPROACHES TO  
PUBLIC DEFENSE REFORM.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Public Defense Reform Interim Committee was authorized by the Legislative Council at the recommendation of the members of the First Regular Session of the Sixty-second Idaho Legislature for the purpose of undertaking and completing a study of potential approaches to the public defense system; and

WHEREAS, the Public Defense Reform Interim Committee committed itself to the task of identifying potential deficiencies in Idaho's public defense system and developing recommendations for public defense reform; and

WHEREAS, the Public Defense Reform Interim Committee identified deficiencies in Idaho's public defense system. Such deficiencies include, but are not limited to: a lack of uniformity in financial contribution and recoupment practices, public defense contracting practices and data reporting; excessive caseloads and workloads; a lack of independence of the public defense function; a lack of training and resources for public defense attorneys; a lack of qualifications and experience standards for public defense attorneys; and the existence of flat fee contracts for public defense services; and

WHEREAS, the Public Defense Reform Interim Committee has sought to address such deficiencies through legislation that includes a public defense model where, although public defense delivery at the trial level would remain primarily funded and administered at the county level, certain oversight and administration authority would be statutorily delegated to an independent commission authorized to promulgate certain rules with which counties are required to comply, including statewide training and continuing legal education requirements for public defense attorneys and uniform data reporting requirements. In addition, the independent commission would be statutorily required to make recommendations to the First Regular Session of the Sixty-third Idaho Legislature, and may make recommendations during the regular sessions of the Legislature thereafter as deemed necessary, for legislation relating to core requirements for public defense contracts; standards for the qualification and experience of public defense attorneys; enforcement mechanisms; and funding issues; and

WHEREAS, the legislation recommended by the Public Defense Reform Interim Committee also provides for a public defense model where the counties' statutory duty to provide for counsel at public expense would be accomplished by one of the following: (1) establish an office of public defender; (2) establish a joint office of public defender with one or more other counties; (3) contract with an existing office of public defender; or (4) contract with a defending attorney provided that no such contract shall include a flat fee pricing structure; and

WHEREAS, during the course of its study, the Public Defense Reform Interim Committee identified additional issues in need of further study. Such issues include funding issues; the municipalities' participation in and potential financial contribution to the public defense system; and effective enforcement mechanisms to ensure compliance with public defense system standards and requirements.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-second Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of potential approaches to public defense reform including, but not limited to: funding issues; municipalities' participation in and potential financial contribution to the public defense system; and effective enforcement mechanisms to ensure compliance with public defense system standards and requirements. The committee shall consist of ten legislators, with five from

the Senate and five from the House of Representatives. The Legislative Council shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that the cochairmen of the committee are authorized to appoint advisors with technical expertise in the area of public defense and are expected to receive input from stakeholders in the criminal justice system of Idaho.

BE IT FURTHER RESOLVED that any advisors to the committee who are not legislative members shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges.

BE IT FURTHER RESOLVED that the commission shall report its findings, recommendations and proposed legislation, if any, to the First Regular Session of the Sixty-third Idaho Legislature.

### HOUSE RESOLUTION NO. 5 BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

A HOUSE RESOLUTION  
STATING FINDINGS OF THE HOUSE OF  
REPRESENTATIVES AND PROVIDING FOR THE  
AMENDMENT OF RULE 74 OF THE RULES OF THE  
HOUSE OF REPRESENTATIVES.

Be It Resolved by the House of Representatives of the State of Idaho:

WHEREAS, the House of Representatives deems it necessary and desirable that Rule 74 of the Rules of the House of Representatives be amended.

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives, assembled in the Second Regular Session of the Sixty-second Idaho Legislature, that Rule 74 of the Rules of the House of Representatives shall be amended to read as follows:

RULE 74  
Attaches, Selection, Removal, Duties  
and Compensation  
Attaches, Selection, Removal, Duties and Compensation. – The House shall by resolution determine selection and compensation of the attaches to serve the House during each session and the compensation to be paid therefor. The Speaker of the House shall select all attaches and they shall serve at his pleasure shall be determined by the Speaker. All attaches shall serve at the pleasure of the Speaker. The Speaker shall prescribe the duties of all attaches and have general supervision of all attaches in the performance of their duties.

HCR 40 and HR 5 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

### HOUSE BILL NO. 452 BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT  
RELATING TO SICK LEAVE; AMENDING SECTION  
33-1217, IDAHO CODE, TO PROVIDE THAT AN  
EMPLOYEE EMPLOYED BY A STATE EDUCATIONAL  
AGENCY SHALL BE CREDITED CERTAIN UNUSED SICK  
LEAVE AND TO MAKE TECHNICAL CORRECTIONS; AND

AMENDING SECTION 67-5333, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN SICK LEAVE CREDITS, TO PROVIDE FOR THE APPLICATION OF LAW AND TO ESTABLISH A MAXIMUM UNUSED SICK LEAVE AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 453**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
 AN ACT

RELATING TO JUDGMENT; AMENDING CHAPTER 25, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-2520A, IDAHO CODE, TO PROVIDE FOR THE EXTENSION OF A SENTENCE FOR CERTAIN FELONY VIOLATIONS AGAINST OLDER PERSONS.

**HOUSE BILL NO. 454**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
 AN ACT

RELATING TO THE IDAHO PUBLIC DEFENSE ACT; AMENDING CHAPTER 8, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-847, IDAHO CODE, TO PROVIDE A SHORT TITLE; AMENDING CHAPTER 8, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-848, IDAHO CODE, TO ESTABLISH THE STATE PUBLIC DEFENSE COMMISSION; AMENDING CHAPTER 8, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-849, IDAHO CODE, TO PROVIDE FOR THE POWERS AND DUTIES OF THE STATE PUBLIC DEFENSE COMMISSION; AMENDING CHAPTER 8, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-850, IDAHO CODE, TO PROVIDE FOR THE STATE PUBLIC DEFENSE COMMISSION FUND; AMENDING SECTION 19-853, IDAHO CODE, TO REMOVE PROVISIONS RELATING TO THE APPOINTMENT AND ASSIGNMENT OF CERTAIN COUNSEL AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 19-859, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DUTY OF THE BOARDS OF COUNTY COMMISSIONERS TO PROVIDE FOR THE REPRESENTATION OF INDIGENT PERSONS AND OTHER INDIVIDUALS WHO ARE ENTITLED TO BE REPRESENTED BY AN ATTORNEY AT PUBLIC EXPENSE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 19-860, IDAHO CODE, TO SPECIFY THAT CERTAIN PROVISIONS RELATING TO THE PUBLIC DEFENDER APPLY TO A JOINT OFFICE OF PUBLIC DEFENDER, TO REMOVE PROVISIONS RELATING TO THE TERM OF OFFICE OF A PUBLIC DEFENDER, TO REMOVE CERTAIN PROVISIONS RELATING TO THE SCOPE OF PRACTICE OF A PUBLIC DEFENDER, TO REMOVE PROVISIONS RELATING TO THE COMPENSATION OF A COURT-ASSIGNED ATTORNEY OTHER THAN THE PUBLIC DEFENDER AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 19-861, IDAHO CODE, TO CLARIFY THAT CERTAIN PROVISIONS APPLY TO A JOINT OFFICE OF PUBLIC DEFENDER AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 19-862, IDAHO CODE, TO PROVIDE THAT CERTAIN PROVISIONS APPLY TO A JOINT OFFICE OF PUBLIC DEFENDER AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-2601, IDAHO CODE, TO ESTABLISH THE STATE PUBLIC DEFENSE COMMISSION IN THE

DEPARTMENT OF SELF-GOVERNING AGENCIES; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 455**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
 AN ACT

RELATING TO FEES; AMENDING SECTION 31-3204, IDAHO CODE, TO INCREASE A CERTAIN FEE.

**HOUSE BILL NO. 456**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
 AN ACT

RELATING TO COUNTY JAILS; AMENDING SECTION 20-237A, IDAHO CODE, TO INCREASE A CERTAIN MINIMUM RATE THAT THE STATE BOARD OF CORRECTION IS REQUIRED TO PAY COUNTIES HOUSING STATE SENTENCED PRISONERS, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 457**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
 AN ACT

RELATING TO SAFETY RESTRAINT EVIDENCE; AMENDING CHAPTER 16, TITLE 6, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 6-1608, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO EVIDENCE OF THE FAILURE TO WEAR A SAFETY RESTRAINT; AND AMENDING SECTION 49-673, IDAHO CODE, TO REMOVE LANGUAGE PROVIDING THAT THE FAILURE TO USE A SAFETY RESTRAINT SHALL NOT BE CONSIDERED UNDER ANY CIRCUMSTANCES AS EVIDENCE OF CONTRIBUTORY OR COMPARATIVE NEGLIGENCE, NOR SHALL SUCH FAILURE BE ADMISSIBLE AS EVIDENCE IN ANY CIVIL ACTION WITH REGARD TO NEGLIGENCE AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 458**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
 AN ACT

RELATING TO CHILDREN; AMENDING SECTION 18-1501, IDAHO CODE, TO PROVIDE THAT AN EXEMPTION FOR TREATMENT BY PRAYER SHALL NOT APPLY WHEN A CHILD'S MEDICAL CONDITION HAS CAUSED DEATH OR DISABILITY.

**HOUSE BILL NO. 459**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
 AN ACT

RELATING TO SEX CRIMES; AMENDING SECTION 18-6608, IDAHO CODE, TO ESTABLISH ADDITIONAL PROVISIONS RELATING TO FORCIBLE SEXUAL PENETRATION BY USE OF A FOREIGN OBJECT.

**HOUSE BILL NO. 460**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
 AN ACT

RELATING TO SEX CRIMES; AMENDING SECTION 18-6609, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE CRIME OF VIDEO VOYEURISM.

**HOUSE BILL NO. 461**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
 AN ACT

RELATING TO BEING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; PROVIDING A SHORT TITLE; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 67-1401, IDAHO CODE, TO PROVIDE ADDITIONAL DUTIES OF THE ATTORNEY GENERAL; AMENDING CHAPTER 29, TITLE 67, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 67-1412 THROUGH 67-1416, IDAHO CODE, TO DEFINE TERMS, TO CREATE THE SOBRIETY AND DRUG MONITORING PROGRAM, TO PROVIDE FOR RULES AND TESTING FEES, TO PROVIDE THE AUTHORITY FOR COURTS OR OTHER ENTITIES TO PARTICIPATE IN A SOBRIETY AND DRUG MONITORING PROGRAM AND TO PROVIDE FOR COLLECTION, DISTRIBUTION AND USE OF TESTING FEES.

**HOUSE BILL NO. 462**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
 AN ACT

RELATING TO RESPONSIBILITIES OF SKI AREA OPERATORS AND SKIERS; AMENDING SECTION 6-1102, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 6-1103, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 6-1106, IDAHO CODE, TO REVISE DUTIES OF SKIERS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 463**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
 AN ACT

RELATING TO THE IDAHO BUILDING CODE ACT; AMENDING SECTION 39-4126, IDAHO CODE, TO PROVIDE FOR AN INFRACTION, TO REMOVE LANGUAGE RELATING TO A MISDEMEANOR, TO PROVIDE THAT THIS SECTION SHALL NOT AFFECT CERTAIN PENALTY PROVISIONS, TO PROVIDE FOR A MISDEMEANOR, TO PROVIDE FOR APPLICATION OF LAWS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 464**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
 AN ACT

RELATING TO JUVENILE PROCEEDINGS; AMENDING SECTION 16-1608, IDAHO CODE, TO PROVIDE FOR CONSULTATION WITH THE DEPARTMENT OF HEALTH AND WELFARE IN THE EMERGENCY REMOVAL OF A CHILD.

**HOUSE BILL NO. 465**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
 AN ACT

RELATING TO JUVENILE PROCEEDINGS; AMENDING SECTION 16-1602, IDAHO CODE, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 16-1608, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE MAXIMUM AND MINIMUM TIME THAT A CHILD TAKEN INTO SHELTER CARE MAY BE HELD BEFORE A SHELTER CARE

HEARING; AMENDING SECTION 16-1609, IDAHO CODE, TO REVISE PROVISIONS RELATING TO NOTIFICATION OF PARENTS REGARDING SHELTER CARE HEARINGS; AND AMENDING SECTION 39-8206, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CLAIMS OF PARENTAL RIGHTS AND SHELTER CARE HEARINGS.

**HOUSE BILL NO. 466**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
 AN ACT

RELATING TO INATTENTIVE DRIVING; AMENDING SECTION 49-1401, IDAHO CODE, TO PROVIDE ADDITIONAL PROVISIONS RELATING TO INATTENTIVE DRIVING.

**HOUSE BILL NO. 467**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
 AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-104, IDAHO CODE, TO PROVIDE THAT CERTAIN CONTROLLED HUNT PERMITS MAY ALSO BE ISSUED FOR BEAR AND TURKEY; AND AMENDING SECTION 36-106, IDAHO CODE, TO PROVIDE THAT WILDLIFE SUBJECT TO SPECIAL DEPREDATION HUNTS SHALL INCLUDE BEAR AND TURKEY.

**HOUSE BILL NO. 468**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
 AN ACT

RELATING TO OUTFITTERS AND GUIDES; AMENDING SECTION 36-2101, IDAHO CODE, TO REVISE POLICY PROVISIONS; AMENDING SECTION 36-2102, IDAHO CODE, TO REVISE THE DEFINITION OF "OUTFITTER"; AND AMENDING SECTION 36-2103, IDAHO CODE, TO PROVIDE THAT THE DEFINITIONS OF "OUTFITTER" AND "GUIDE" DO NOT INCLUDE PRIVATE LANDOWNERS AND THEIR EMPLOYEES WHO PROVIDE FACILITIES OR SERVICES UPON THEIR OWN PRIVATELY OWNED PROPERTY, TO REVISE EXCEPTION VERBIAGE AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 469**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
 AN ACT

RELATING TO OUTFITTERS AND GUIDES; AMENDING SECTION 36-2108, IDAHO CODE, TO PROVIDE THAT THE OUTFITTERS AND GUIDES LICENSING BOARD SHALL NOT ACCEPT, PROCESS OR APPROVE ANY APPLICATIONS FOR OUTFITTED OR GUIDED TURKEY OR WATERFOWL HUNTING, TO PROVIDE THAT UNLESS LICENSED PRIOR TO A CERTAIN DATE, A PERSON MAY NOT OUTFIT OR GUIDE TURKEY OR WATERFOWL HUNTERS FOR COMPENSATION, TO PROVIDE CIRCUMSTANCES WHEN ANY RULE, ORDER, MEMORANDUM, POLICY, GUIDANCE OR OTHER DOCUMENT ADOPTED BY THE BOARD, OR PORTION THEREOF, IS NULL AND VOID AND SHALL HAVE NO FORCE OR EFFECT AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 470**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
 AN ACT

RELATING TO WOLF CONTROL; PROVIDING LEGISLATIVE INTENT; AMENDING TITLE 22, IDAHO

CODE, BY THE ADDITION OF A NEW CHAPTER 53, TITLE 22, IDAHO CODE, TO PROVIDE A CHAPTER HEADING, TO PROVIDE FOR THE IDAHO WOLF DEPREDATION CONTROL BOARD, TO PROVIDE FOR OFFICERS, TO PROVIDE FOR MEETINGS, TO PROVIDE FOR COMPENSATION, TO PROHIBIT THE USE OF FUNDS FOR CERTAIN PURPOSES, TO PROVIDE FOR REIMBURSEMENT OF EXPENSES, TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE AND DEPARTMENT OF FISH AND GAME SHALL BEAR THE COST OF ADMINISTERING MEETINGS, TO DEFINE TERMS, TO PROVIDE FOR POWERS AND DUTIES, TO CLARIFY THAT CONTROL OF WOLVES UNDER SPECIFIED LAW DOES NOT INCLUDE THE PAYMENT OF COMPENSATION FOR DAMAGES, TO PROVIDE THAT CONTROL ACTIVITIES SHALL BE CONSISTENT WITH SPECIFIED LAW, TO PROVIDE FOR THE WOLF CONTROL FUND, TO PROVIDE FOR SUBACCOUNTS, TO PROVIDE FOR THE WOLF CONTROL SECONDARY FUND, TO PROVIDE FOR THE COLLECTION AND DEPOSIT OF WOLF CONTROL ASSESSMENTS BY THE STATE BRAND INSPECTOR AND THE IDAHO SHEEP AND GOAT HEALTH BOARD, TO PROVIDE FOR THE USE OF CERTAIN FUNDS, TO PROVIDE FOR THE TRANSFER OF SPECIFIED MONEYS FROM THE FISH AND GAME FUND TO THE FISH AND GAME FUND TRANSFER SUBACCOUNT, TO AUTHORIZE THE IDAHO FISH AND GAME COMMISSION TO DIRECT THE WOLF DEPREDATION CONTROL BOARD AS TO USE OF CERTAIN FUNDS, TO PROVIDE THAT THE WOLF DEPREDATION CONTROL BOARD SHALL COMPLY WITH THE DIRECTION OF THE COMMISSION, TO PROVIDE AN EXCEPTION TO SPECIFIED REQUIREMENTS FOR COLLECTION OF WOLF CONTROL ASSESSMENTS DURING A SPECIFIC TIME PERIOD, TO PROVIDE A CONTINGENCY IN THE EVENT A SPECIFIED SUM IS NOT COLLECTED OR AVAILABLE FOR DEPOSIT INTO THE FUND AND TO PROVIDE A SUNSET DATE; AMENDING CHAPTER 1, TITLE 36, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 36-125, IDAHO CODE, TO PROVIDE THAT DURING A SPECIFIED TIME PERIOD THE FISH AND GAME COMMISSION SHALL COMPLY WITH SPECIFIED LAW IN PROVIDING THE WOLF DEPREDATION CONTROL BOARD WITH DIRECTION FOR USE OF CERTAIN FISH AND GAME FUNDS; AMENDING SECTION 25-130, IDAHO CODE, TO PROVIDE THAT WOLF CONTROL ASSESSMENTS SHALL NOT BE CONSIDERED SPECIAL ASSESSMENTS SUBJECT TO CERTAIN EFFECTIVE DATE PROVISIONS; AMENDING SECTION 25-131, IDAHO CODE, TO PROVIDE FOR WOLF CONTROL ASSESSMENTS BY THE IDAHO SHEEP AND GOAT HEALTH BOARD DURING A SPECIFIED PERIOD OF TIME; AMENDING SECTION 25-1145, IDAHO CODE, TO INCREASE THE MAXIMUM FEE THAT THE STATE BRAND INSPECTOR MAY IMPOSE FOR BRAND RENEWAL AND TO PROVIDE THAT A DESIGNATED AMOUNT OF THE FEE SHALL BE CONSIDERED A WOLF CONTROL ASSESSMENT FOR A SPECIFIED PERIOD OF TIME; TO PROVIDE FOR NONSEVERABILITY; AND DECLARING AN EMERGENCY.

#### **HOUSE BILL NO. 471**

##### **BY RESOURCES AND CONSERVATION COMMITTEE AN ACT**

RELATING TO THE REGULATION OF PIPELINE CORPORATIONS; AMENDING SECTION 61-114, IDAHO

CODE, TO CLARIFY THE DEFINITION OF OIL AND GAS GATHERING LINES; AMENDING SECTION 61-129, IDAHO CODE, TO CLARIFY THAT PIPELINE CORPORATIONS MUST MAKE APPLICATION TO THE PUBLIC UTILITIES COMMISSION TO BE REGULATED GENERALLY AS A PUBLIC UTILITY; AND DECLARING AN EMERGENCY.

#### **HOUSE BILL NO. 472**

##### **BY STATE AFFAIRS COMMITTEE AN ACT**

RELATING TO LICENSES TO CARRY CONCEALED WEAPONS; AMENDING SECTION 18-3302, IDAHO CODE, TO REMOVE PROVISIONS RELATING TO CONCEALED WEAPONS IN MOTOR VEHICLES, TO REVISE EXCEPTIONS AND TO REMOVE EXCEPTIONS FOR CERTAIN PERSONS TO ABIDE BY THE REQUIREMENT TO SECURE A LICENSE TO CARRY A CONCEALED WEAPON.

#### **HOUSE BILL NO. 473**

##### **BY STATE AFFAIRS COMMITTEE AN ACT**

RELATING TO REGULATIONS OF THE ENVIRONMENTAL PROTECTION AGENCY; AMENDING CHAPTER 1, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-102B, IDAHO CODE, TO DECLARE CERTAIN FEDERAL REGULATION AUTHORITY IS NOT AUTHORIZED BY THE UNITED STATES CONSTITUTION, TO STATE THE LEGISLATIVE DUTY TO PREVENT ENFORCEMENT OF CERTAIN REGULATIONS AND TO PROVIDE EXCEPTIONS; AND DECLARING AN EMERGENCY.

#### **HOUSE BILL NO. 474**

##### **BY REVENUE AND TAXATION COMMITTEE AN ACT**

RELATING TO LOCAL GOVERNMENTAL ENTITIES; AMENDING CHAPTER 4, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-450E, IDAHO CODE, TO PROVIDE A DEFINITION, TO ESTABLISH PROVISIONS RELATING TO A CENTRAL REGISTRY AND REPORTING PORTAL, TO PROVIDE FOR THE REPORTING OF CERTAIN ADMINISTRATIVE, FINANCIAL, BOND AND DEBT INFORMATION, TO PROVIDE FOR SUBMISSION OF INFORMATION FOR CALENDAR YEAR 2015, TO PROVIDE FOR NOTIFICATION BY THE COUNTY CLERK, TO PROVIDE THAT THE STATE TAX COMMISSION SHALL SUBMIT A LIST, TO PROVIDE THAT THE COUNTY CLERK OF EACH COUNTY SHALL SUBMIT A LIST, TO PROVIDE FOR NOTIFICATION BY THE LOCAL GOVERNING ENTITY, TO PROVIDE FOR NOTIFICATION BY THE LEGISLATIVE SERVICES OFFICE, TO PROVIDE FOR A PUBLIC NOTICE, TO PROVIDE FOR CONSEQUENCES IN THE EVENT OF THE ENTITY FAILING TO SUBMIT COMPLIANT INFORMATION, TO PROVIDE FOR APPLICATION OF LAWS; AND PROVIDING AN EFFECTIVE DATE.

#### **HOUSE BILL NO. 475**

##### **BY HEALTH AND WELFARE COMMITTEE AN ACT**

RELATING TO THE HEALTH INSURANCE EXCHANGE; AMENDING SECTION 41-6105, IDAHO CODE, TO PROVIDE THAT SHOPPERS ON THE EXCHANGE MAY COMPARISON SHOP AND SHALL PROVIDE CERTAIN INFORMATION ONLY UPON



SUBMISSION OF AN APPLICATION AND TO PROVIDE FOR A WARNING REGARDING A SUBMISSION OF ESTIMATED INCOME.

**HOUSE BILL NO. 476  
BY HEALTH AND WELFARE COMMITTEE  
AN ACT**

RELATING TO MEDICAID; AMENDING SECTION 56-255, IDAHO CODE, TO REVISE PROVISIONS RELATING TO HOME-BASED AND COMMUNITY-BASED SERVICES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES.

[H 452](#), [H 453](#), [H 454](#), [H 455](#), [H 456](#), [H 457](#), [H 458](#), [H 459](#), [H 460](#), [H 461](#), [H 462](#), [H 463](#), [H 464](#), [H 465](#), [H 466](#), [H 467](#), [H 468](#), [H 469](#), [H 470](#), [H 471](#), [H 472](#), [H 473](#), [H 474](#), [H 475](#), and [H 476](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Mr. Crane asked unanimous consent that [H 363](#) on General Orders, be filed for Second Reading. There being no objection, it was so ordered.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

[H 383](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

[H 404](#), by Transportation and Defense Committee, was read the second time by title and filed for third reading.

[S 1201](#), by Health and Welfare Committee, was read the second time by title and filed for third reading.

[H 431](#), by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

**[H 392](#) - WATER QUALITY**

[H 392](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thompson to open debate.

The question being, "Shall [H 392](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo(Jordan), Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [H 392](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[H 352](#) - PUBLIC ASSISTANCE**

[H 352](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Malek to open debate.

The question being, "Shall [H 352](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Bell, Bolz, Burgoyne, Chew, Clow, Collins, Erpelding, Eskridge, Gannon, Gibbs, Hancey, Hartgen, Henderson, Horman, Kauffman, King, Kloc, Luker, Malek, McDonald, Meline, Miller, Morse, Packer, Pence, Ringo(Jordan), Romrell, Rubel, Rusche, Smith, Thompson, VanOrden, Wills, Wood(27), Woodings, Youngblood, Mr. Speaker. Total – 41.

NAYS – Andrus, Barbieri, Barrett, Bateman, Batt, Boyle, Crane, Dayley, DeMordaunt, Denney, Gestrin, Harris, Hixon, Holtzclaw, Loertscher, McMillan, Mendive, Monks, Moyle, Nielsen, Palmer, Perry, Raybould, Shepherd, Sims, Stevenson, Trujillo, Vander Woude, Wood(35). Total – 29.

Total – 70.

Whereupon the Speaker declared that [H 352](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[H 353](#) - CHILDREN'S TRUST FUND**

[H 353](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Morse to open debate.

The question being, "Shall [H 353](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Bateman, Bell, Bolz, Burgoyne, Chew, Clow, DeMordaunt, Erpelding, Eskridge, Gannon, Gibbs, Hancey, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, Meline, Miller, Morse, Packer, Pence, Perry, Raybould, Ringo(Jordan), Romrell, Rubel, Rusche, Smith, Thompson, VanOrden, Vander Woude, Wills, Wood(27), Woodings, Youngblood, Mr. Speaker. Total – 49.

NAYS – Barbieri, Barrett, Batt, Boyle, Crane, Dayley, Denney, Gestrin, Harris, McMillan, Mendive, Monks, Moyle, Nielsen, Palmer, Shepherd, Sims, Stevenson, Trujillo, Wood(35). Total – 20.

Absent – Collins. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 353](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Friday, February 7, 2014. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:16 p.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SECOND LEGISLATURE

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THIRTY-THIRD LEGISLATIVE DAY  
FRIDAY, FEBRUARY 7, 2014

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 63 members present.

Absent – Anderson(01), Denney, Gestrin, Loertscher, Nielsen, Rusche, Stevenson. Total – 7.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Tahj McDaniel, Page.

### Approval of Journal

February 7, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-second Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

### Consideration of Messages from the Governor and the Senate

February 6, 2014

Mr. Speaker:

I transmit herewith enrolled [S 1245](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [S 1245](#) and, when so signed, ordered it returned to the Senate.

February 6, 2014

Mr. Speaker:

I return herewith enrolled [H 407](#) which has been signed by the President.

NOVAK, Secretary

Enrolled [H 407](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 6, 2014

Mr. Speaker:

I transmit herewith [SJM 105](#), [S 1246](#), [S 1248](#), and [S 1249](#) which have passed the Senate.

NOVAK, Secretary

[SJM 105](#), [S 1246](#), [S 1248](#), and [S 1249](#) were filed for first reading.

February 6, 2014  
Mr. Speaker:

I return herewith [H 385](#) which has passed the Senate.

NOVAK, Secretary

[H 385](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

February 7, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HCR 40](#), [HR 5](#), [H 452](#), [H 453](#), [H 454](#), [H 455](#), [H 456](#), [H 457](#), [H 458](#), [H 459](#), [H 460](#), [H 461](#), [H 462](#), [H 463](#), [H 464](#), [H 465](#), [H 466](#), [H 467](#), [H 468](#), [H 469](#), [H 470](#), [H 471](#), [H 472](#), [H 473](#), [H 474](#), [H 475](#), and [H 476](#).

WILLS, Chairman

[HCR 40](#), [HR 5](#), [H 453](#), [H 454](#), [H 455](#), [H 456](#), [H 457](#), [H 458](#), [H 459](#), [H 460](#), [H 461](#), [H 462](#), [H 463](#), [H 464](#), [H 465](#), and [H 466](#) were referred to the Judiciary, Rules, and Administration Committee.

[H 452](#) was referred to the Commerce and Human Resources Committee.

[H 467](#), [H 468](#), [H 469](#), [H 470](#), and [H 471](#) were referred to the Resources and Conservation Committee.

[H 472](#) and [H 473](#) were referred to the State Affairs Committee.

[H 474](#) was referred to the Revenue and Taxation Committee.

[H 475](#) and [H 476](#) were referred to the Health and Welfare Committee.

February 7, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 375](#).

WILLS, Chairman

The Speaker announced he was about to sign enrolled [H 375](#) and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 7, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 386](#), [H 387](#), and [H 388](#) to the Governor at 11:20 a.m., as of this date, February 6, 2014.

WILLS, Chairman

February 6, 2014

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration [S 1235](#) and recommend that it do pass.

BARRETT, Chairman

[S 1235](#) was filed for second reading.

February 6, 2014

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration [H 430](#) and recommend that it do pass.

ANDRUS, Chairman

[H 430](#) was filed for second reading.

February 6, 2014

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 403](#) and recommend that it do pass.

PALMER, Chairman

[H 403](#) was filed for second reading.

February 7, 2014

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 402](#) and recommend that it do pass.

COLLINS, Chairman

[H 402](#) was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### **Motions, Memorials, and Resolutions**

#### **HOUSE JOINT MEMORIAL NO. 5 BY AGRICULTURAL AFFAIRS COMMITTEE A JOINT MEMORIAL**

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES AND TO THE COMMISSIONER OF THE UNITED STATES FOOD AND DRUG ADMINISTRATION.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Sixty-second Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the Food Safety Modernization Act (FSMA) was approved by Congress in 2010 and signed into law in 2011; and

WHEREAS, the Food and Drug Administration (FDA) has issued proposed rules to implement FSMA; and

WHEREAS, compliance with these proposed FDA rules will be a financial burden and impossible or impractical throughout much of Idaho; and

WHEREAS, the FDA's proposed Produce Rule would require that irrigation water used to grow over 200 varieties of fresh produce must meet numeric water quality standards for primary contact recreation; and

WHEREAS, the Produce Rule from the FDA would further require water users to test their irrigation water and immediately cease the use of irrigation water that does not meet the numeric water quality standards for primary contact recreation; and

WHEREAS, the proposed FDA Produce Rule would further require water users to treat irrigation water so that it meets the required recreation standard, or to obtain an alternative irrigation water supply that meets the standard; and

WHEREAS, application of the proposed FDA Produce Rule would eliminate many existing surface irrigation water supplies from continued use for the growing of fresh produce in Idaho; and

WHEREAS, the total first-year cost of the FDA Produce Rule is estimated by the FDA to average \$30,566 per farm; and

WHEREAS, the FDA's proposed Transportation Rule would require certain shippers, receivers and carriers who transport food by motor or rail vehicles to take steps to prevent the

contamination of human and animal food during transportation; and

WHEREAS, the proposed Transportation Rule would establish requirements for vehicle and transportation equipment, transportation operations, information exchange, training, records and waivers; and

WHEREAS, the total first-year cost of the Transportation Rule is estimated by the FDA to average \$1,784 per business.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-second Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urge the Commissioner of the Food and Drug Administration to suspend the imposition of rules to implement the Food Safety Modernization Act and to conduct a national review of the impact of the Produce and Transportation Rules and all future FSMA rules until such time as a clear understanding of their impact can be determined.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, the congressional delegation representing the State of Idaho in the Congress of the United States and the Commissioner of the United States Food and Drug Administration.

[HJM 5](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[SJM 105](#), by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

### **Introduction, First Reading, and Reference of Bills and Joint Resolutions**

#### **HOUSE BILL NO. 477 BY EDUCATION COMMITTEE AN ACT**

RELATING TO CRIMINAL HISTORY CHECKS; AMENDING SECTION 33-130, IDAHO CODE, TO REVISE A FEE THE STATE DEPARTMENT OF EDUCATION SHALL CHARGE TO CERTAIN INDIVIDUALS.

#### **HOUSE BILL NO. 478 BY EDUCATION COMMITTEE AN ACT**

RELATING TO THE IDAHO STATE LOTTERY; AMENDING SECTION 67-7434, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DISTRIBUTION OF NET INCOME, TO MAKE TECHNICAL CORRECTIONS AND TO REMOVE A SUNSET PROVISION; AND AMENDING SECTION 63-2520, IDAHO CODE, TO PROVIDE A CORRECTION CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION.

#### **HOUSE BILL NO. 479 BY APPROPRIATIONS COMMITTEE AN ACT**

PROVIDING AN APPROPRIATION AND TRANSFER OF MONEYS TO THE REVOLVING DEVELOPMENT FUND FOR FISCAL YEAR 2014; PROVIDING AN APPROPRIATION AND TRANSFER OF MONEYS TO THE SECONDARY AQUIFER PLANNING, MANAGEMENT AND IMPLEMENTATION FUND FOR FISCAL YEAR 2014; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 480**  
**BY LOCAL GOVERNMENT COMMITTEE**  
 AN ACT

RELATING TO LOCAL LAND USE PLANNING; AMENDING SECTION 67-6508, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE COMMUNITY DESIGN COMPONENT FOR COMPREHENSIVE PLANS AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 67-6511, IDAHO CODE, TO PROHIBIT CERTAIN MANDATES AND REQUIREMENTS IN ZONING REGULATIONS AND CONSTRUCTION PERMIT CONDITIONS, TO PROVIDE THAT GOVERNING BOARDS MAY PROVIDE GUIDANCE AND SUGGESTIONS RELATING TO BUILDING AESTHETICS, TO PROHIBIT AESTHETIC OR BEAUTIFICATION STANDARDS THAT REQUIRE STRUCTURAL DESIGN MODIFICATION FOR CERTAIN STRUCTURES, TO RESTRICT THE APPLICATION OF A LIMITATION, TO PROVIDE THAT ORDINANCES MAY ESTABLISH CERTAIN STANDARDS FOR STRUCTURES WITHIN A DESIGNATED HISTORICAL DISTRICT AND TO PROVIDE THAT STANDARDS SHALL BE CLEAR, ASCERTAINABLE AND NOT BASED ON SUBJECTIVE CONSIDERATIONS.

**HOUSE BILL NO. 481**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
 AN ACT

RELATING TO THE TAXATION UPON MOTOR FUEL; AMENDING SECTION 63-2402, IDAHO CODE, TO REVISE THE TAX RATE UPON MOTOR FUEL OVER A TWO YEAR PERIOD.

**HOUSE BILL NO. 482**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO PERSONAL PROPERTY EXEMPT FROM TAXATION; AMENDING SECTION 63-602KK, IDAHO CODE, TO PROVIDE THAT A TAXPAYER SHALL NOT INCLUDE RATE-REGULATED PUBLIC UTILITIES AND RAILROADS.

**HOUSE BILL NO. 483**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO SALES TAX; AMENDING SECTION 63-3622N, IDAHO CODE, TO PROVIDE THAT EYEGLASSES AND CONTACT LENSES ARE EXEMPT FROM CERTAIN TAXES.

**HOUSE BILL NO. 484**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO BUILDING CODES; AMENDING SECTION 39-4109, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE INTERNATIONAL RESIDENTIAL CODE AND THE INTERNATIONAL ENERGY CONSERVATION CODE, TO PROVIDE PROCEDURES AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 39-4116, IDAHO CODE, TO PROVIDE CORRECT BUILDING CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 485**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO INCOME TAXATION; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029L, IDAHO CODE, TO PROVIDE FOR A STATE INCOME TAX CREDIT FOR CUSTOMER IN AID OF CONSTRUCTION IN QUALIFIED BROADBAND EQUIPMENT DEPLOYED FOR RESIDENTIAL AND SMALL BUSINESS BROADBAND SERVICE IN UNSERVED AREAS, TO PROVIDE FOR LIMITATIONS ON THE CREDIT, TO PROVIDE REQUIREMENTS FOR THE CREDIT, TO DEFINE TERMS AND TO PROVIDE FOR RULES AND A METHOD OF ATTRIBUTING THE TAX CREDIT; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 486**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO PROPERTY; REPEALING SECTION 55-2109, IDAHO CODE, RELATING TO TAXATION ON CONSERVATION EASEMENTS.

[H 477](#), [H 478](#), [H 479](#), [H 480](#), [H 481](#), [H 482](#), [H 483](#), [H 484](#), [H 485](#), and [H 486](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1246](#), [S 1248](#), and [S 1249](#), by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

[H 394](#) and [H 395](#), by Health and Welfare Committee, were read the second time by title and filed for third reading.

[S 1213](#), [S 1236](#), and [S 1237](#), by Local Government and Taxation Committee, were read the second time by title and filed for third reading.

[H 363](#), by Business Committee, was read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that [H 378](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**[H 378](#) - IDAHO DAY**

[H 378](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bateman to open debate.







Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 61.

NAYS – McMillan, Sims. Total – 2.

Absent – Anderson(01), Denney, Gestrin, Loertscher, Nielsen, Rusche, Stevenson. Total – 7.

Total – 70.

Whereupon the Speaker declared that [H 429](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, February 10, 2014. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

### **Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Monday, February 10, 2014. Seconded by Mr. Burgoyne. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:07 p.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SECOND LEGISLATURE

THIRTY-SIXTH LEGISLATIVE DAY  
MONDAY, FEBRUARY 10, 2014

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent – Collins, Rubel. Total – 2.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Abigail Shepherd, Page.

### Approval of Journal

February 10, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-third Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

### Consideration of Messages from the Governor and the Senate

February 7, 2014

Mr. Speaker:

I return herewith enrolled [H 374](#) which has been signed by the President.

NOVAK, Secretary

Enrolled [H 374](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

### Report of Standing Committees

February 10, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HJM 5](#), [H 477](#), [H 478](#), [H 479](#), [H 480](#), [H 481](#), [H 482](#), [H 483](#), [H 484](#), [H 485](#), and [H 486](#).

WILLS, Chairman

[HJM 5](#) was referred to the Agricultural Affairs Committee.

[H 477](#) was referred to the Education Committee.

[H 478](#) was referred to the State Affairs Committee.

[H 479](#) was filed for second reading.

[H 480](#) was referred to the Local Government Committee.

[H 481](#) was referred to the Transportation and Defense Committee.

[H 482](#), [H 483](#), [H 485](#), and [H 486](#) were referred to the Revenue and Taxation Committee.

[H 484](#) was referred to the Business Committee.

February 10, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 385](#).

WILLS, Chairman

The Speaker announced he was about to sign enrolled [H 385](#) and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 10, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 407](#) to the Governor at 11:15 a.m., as of this date, February 7, 2014.

WILLS, Chairman

February 10, 2014

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 396](#) and recommend that it do pass.

WOOD(27), Chairman

[H 396](#) was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

#### HOUSE CONCURRENT RESOLUTION NO. 41

#### BY STATE AFFAIRS COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO REVIEW LAWS, RULES, REGULATIONS, MANDATES, OVERSIGHTS, JUDICIAL INTERPRETATIONS AND OTHER DECISIONS COMING FROM THE FEDERAL GOVERNMENT.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the United States of America is an entity that has a voluntary and contractual compact with the several sovereign states providing for harmony and protection among them for problems of mutual concern; and

WHEREAS, this compact is a contract founded upon certain concessions and assurances that are necessary to the preservation of our Republic as are defined in the Constitution of the United States and that were fully vetted and agreed to and then augmented by the Bill of Rights in order to gain the consensus necessary to form our sacred Union; and

WHEREAS, one of the ten rights in the Bill of Rights that was indispensable to the agreement to ratify the Constitution states, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people" and this was inserted by the Founding Fathers of our nation to specifically preclude the misinterpretation of the text of the body of the Constitution; and

WHEREAS, the federal government through legislative action taken by the Judiciary, legislative actions outside constitutional limitations and executive action not authorized by Congress has blatantly and consistently misconstrued the Constitution, and therefore has broken its contractual covenants with the State of Idaho; and

WHEREAS, the State of Idaho has constantly and consistently been assailed by laws, rules, regulations, mandates, oversights and decisions of the federal government that are nowhere authorized in the Constitution; and

WHEREAS, these unconstitutional, and therefore illegal laws, rules, regulations, mandates, oversights and decisions have caused the State of Idaho, by its acquiescence, to become subservient and inferior to federal departments, corps, courts, bureaus, agencies, bureaucrats and quasi-police forces to the detriment and distress of the citizens of Idaho; and

WHEREAS, these distresses to our understanding of the compact and agreement between the State of Idaho and the United States of America have not, nor are they likely to be, because of past experience, relieved by appeal to the Executive, Legislative and Judiciary branches of the federal government because they have historically and are now acting singly or severally in concert to disregard the sovereignty of our state; and

WHEREAS, the Legislature of the State of Idaho has, as its most sacred duty, the manifest obligation to protect the citizens of Idaho from tyranny from whatever quarter it may come.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-second Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council is authorized to appoint a committee to review laws, rules, regulations, mandates, oversights and other decisions coming from federal sources to determine whether they are contrary to the powers granted to the federal government under the Constitution and to review judicial interpretations of the Constitution and its amendments that are contrary to precepts set out in the original compact of our ratification of those precepts spoken to. The Legislative Council shall determine the number of legislators and membership from each house appointed to the committee and shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that any advisors to the committee who are not legislative members shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges regarding the committee's recommendations and proposed legislation.

BE IT FURTHER RESOLVED that the committee shall report to the First Regular Session of the Sixty-third Idaho Legislature and detail its findings, recommendations and proposed legislation, if any.

[HCR 41](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

#### **Introduction, First Reading, and Reference of Bills and Joint Resolutions**

#### **HOUSE JOINT RESOLUTION NO. 2 BY STATE AFFAIRS COMMITTEE A JOINT RESOLUTION**

PROPOSING AN AMENDMENT TO ARTICLE III, OF THE CONSTITUTION OF THE STATE OF IDAHO, BY THE ADDITION OF A NEW SECTION 29, ARTICLE III, RELATING TO LEGISLATIVE DELEGATION OF RULEMAKING AUTHORITY; STATING THE QUESTION TO

BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

#### **HOUSE BILL NO. 487 BY STATE AFFAIRS COMMITTEE AN ACT**

RELATING TO LABOR; AMENDING SECTION 67-2345, IDAHO CODE, TO REMOVE PROVISIONS RELATING TO LABOR NEGOTIATIONS CONDUCTED IN EXECUTIVE SESSION AND TO PROVIDE THAT CONSIDERATION OF LABOR CONTRACT OFFERS MAY BE HELD IN EXECUTIVE SESSION; AMENDING CHAPTER 23, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2359, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO NEGOTIATIONS IN OPEN SESSION AND TO PROVIDE FOR NOTICE; AND REPEALING SECTION 33-1273A, IDAHO CODE, RELATING TO NEGOTIATIONS IN OPEN SESSION.

#### **HOUSE BILL NO. 488 BY STATE AFFAIRS COMMITTEE AN ACT**

RELATING TO ELECTIONS; PROVIDING A SHORT TITLE; AND AMENDING CHAPTER 4, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-409, IDAHO CODE, TO PROVIDE FOR ELECTRONIC REGISTRATION.

#### **HOUSE BILL NO. 489 BY STATE AFFAIRS COMMITTEE AN ACT**

RELATING TO HISTORICAL HORSE RACES; AMENDING SECTION 54-2512A, IDAHO CODE, TO PROVIDE THAT HISTORIC HORSE RACING TERMINALS SHALL BE OPERATED ONLY BY CASH OR CASH VOUCHERS.

[HJR 2](#), [H 487](#), [H 488](#), and [H 489](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

#### **Second Reading of Bills and Joint Resolutions**

[S 1235](#), by Local Government and Taxation Committee, was read the second time by title and filed for third reading.

[H 430](#), by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

[H 403](#), by Transportation and Defense Committee, was read the second time by title and filed for third reading.

[H 402](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

#### **Third Reading of Bills and Joint Resolutions**

#### **[H 421](#) - ENGINEERS AND SURVEYORS**

[H 421](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kauffman to open debate.

The question being, "Shall [H 421](#) pass?"

Roll call resulted as follows:

AYES – Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, Meline, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rusche, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 63.

NAYS – Harris, McMillan, Mendive, Shepherd. Total – 4.

Absent – Agidius, Collins, Rubel. Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 421](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 383](#) - PROPERTY TAX

[H 383](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Burgoyne to open debate.

The question being, "Shall [H 383](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 68.

NAYS – None.

Absent – Collins, Rubel. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 383](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 404](#) - MOTOR VEHICLE DRIVERS

[H 404](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Packer to open debate.

The question being, "Shall [H 404](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gibbs, Hancey, Hartgen,

Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, Meline, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rusche, Smith, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 61.

NAYS – Gestrin, Harris, McMillan, Mendive, Shepherd, Sims, Stevenson. Total – 7.

Absent – Collins, Rubel. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 404](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [S 1201](#) - MOTOR VEHICLE REGISTRATION

[S 1201](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hixon to open debate.

The question being, "Shall [S 1201](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 68.

NAYS – None.

Absent – Collins, Rubel. Total – 2.

Total – 70.

Whereupon the Speaker declared that [S 1201](#) passed the House. Title was approved and the bill ordered returned to the Senate.

### [H 431](#) - DOMESTIC CERVIDAE

[H 431](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McMillan to open debate.

The question being, "Shall [H 431](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(31), Andrus, Barbieri, Barrett, Batt, Bell, Bolz, Boyle, Clow, Crane, Dayley, DeMordaunt, Denney, Gestrin, Hancey, Hixon, Holtzclaw, Horman, Loertscher, Malek, McDonald, McMillan, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Raybould, Romrell, Shepherd, Sims, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wood(35), Youngblood, Mr. Speaker. Total – 42.

NAYS – Anderson(01), Anderst, Bateman, Burgoyne, Chew, Erpelding, Eskridge, Gannon, Gibbs, Harris, Hartgen, Henderson, Kauffman, King, Kloc, Luker, Meline, Mendive, Pence, Perry, Ringo, Rubel, Rusche, Smith, Wills, Wood(27), Woodings. Total – 27.

Absent – Collins. Total – 1.

Paired Votes:

AYE – Clow

NAY – Rubel

AYE – Monks

NAY – Gannon

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that [H 431](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

### **Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Tuesday, February 11, 2014. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:19 p.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SECOND LEGISLATURE

THIRTY-SEVENTH LEGISLATIVE DAY  
TUESDAY, FEBRUARY 11, 2014

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent – Collins. Total – 1.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Julia Garcia, Page.

### Approval of Journal

February 11, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-sixth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

### Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR  
Boise

February 10, 2014

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 386](#), [H 387](#), and [H 388](#)

As Always - Idaho, "Esto Perpetua"  
/s/ C.L. "Butch" Otter  
Governor

February 10, 2014

Mr. Speaker:

I return herewith enrolled [H 375](#) and [H 385](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [H 375](#) and [H 385](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 10, 2014

Mr. Speaker:

I transmit herewith [S 1261](#), [S 1228](#), and [S 1204](#) which have passed the Senate.

NOVAK, Secretary

[S 1261](#), [S 1228](#), and [S 1204](#) were filed for first reading.

### Report of Standing Committees

February 11, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HCR 41](#), [HJR 2](#), [H 487](#), [H 488](#), and [H 489](#).

WILLS, Chairman

[HCR 41](#), [H 487](#), and [H 488](#) were referred to the State Affairs Committee.

[HJR 2](#) was filed for second reading.

[H 489](#) was ordered held at the Desk.

February 11, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 374](#) to the Governor at 11:10 a.m., as of this date, February 10, 2014.

WILLS, Chairman

February 10, 2014

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [S 1227](#) and recommend that it do pass.

PALMER, Chairman

[S 1227](#) was filed for second reading.

February 11, 2014

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 440](#) and [H 442](#) and recommend that they do pass.

COLLINS, Chairman

[H 440](#) and [H 442](#) were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

#### HOUSE JOINT MEMORIAL NO. 6 BY REVENUE AND TAXATION COMMITTEE

##### A JOINT MEMORIAL

TO THE PRESIDENT OF THE UNITED STATES, TO THE SECRETARY OF THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.



We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Sixty-second Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the Patient Protection and Affordable Care Act (PPACA), passed by congress in 2010, imposes a variety of taxes on the healthcare industry including a medical device excise tax, a net investment income tax, an annual fee for certain insurance providers and a tax on charitable hospitals that do not meet certain requirements; and

WHEREAS, these taxes are a financial burden on the healthcare industry and will increase costs for healthcare providers, hospitals and the medical device industry; and

WHEREAS, the medical device excise tax is a 2.3% tax of the devices' sale price for a manufacturer, producer or importer; and

WHEREAS, this tax is expected to result in a tax burden of approximately \$29 billion to medical device manufacturers, producers and importers over the next 10 years, potentially discouraging innovation; and

WHEREAS, medical devices can contain many different and complex parts and components; and

WHEREAS, the complicated nature of medical devices and their various parts will make this tax difficult to ascertain and implement; and

WHEREAS, the Internal Revenue Service has not provided any instructions or clarification on how this tax will be assessed.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-second Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urge the Secretary of the United States Department of Health and Human Services to suspend the imposition of the PPACA taxes on the healthcare industry and to conduct a national review of the impact of these taxes until such time as a clear understanding of their impact can be determined.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States, the President of the United States and the Secretary of the United States Department of Health and Human Services.

**HJM 6** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Mr. Rusche asked unanimous consent that Rule 70(1) as it relates to beverages, be suspended for the balance of the remainder of session. There being no objection, it was so ordered.

#### **Introduction, First Reading, and Reference of Bills and Joint Resolutions**

#### **HOUSE BILL NO. 490 BY LOCAL GOVERNMENT COMMITTEE AN ACT**

RELATING TO URBAN RENEWAL; AMENDING CHAPTER 20, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-2007A, IDAHO CODE, TO PROVIDE THAT AN ELECTION SHALL BE NECESSARY ON CERTAIN PROJECTS AND TO DEFINE TERMS; AND AMENDING CHAPTER 29, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-2905A, IDAHO CODE, TO PROVIDE THAT AN ELECTION SHALL BE

NECESSARY ON CERTAIN PROJECTS AND TO DEFINE TERMS.

#### **HOUSE BILL NO. 491 BY TRANSPORTATION AND DEFENSE COMMITTEE AN ACT**

RELATING TO SNOWMOBILES; AMENDING SECTION 67-7101, IDAHO CODE, TO REVISE THE DEFINITION OF "SNOWMOBILE"; AMENDING SECTION 67-7112, IDAHO CODE, TO REVISE PROVISIONS GIVING COUNTIES THE OPTION OF ALLOWING THE USE OF GROOMED SNOWMOBILE TRAILS BY SNOWMOBILES AND SUCH OTHER VEHICLES AS THE COUNTY MAY ALLOW.

#### **HOUSE BILL NO. 492 BY TRANSPORTATION AND DEFENSE COMMITTEE AN ACT**

RELATING TO VEHICLE REGISTRATION AND FEES; AMENDING SECTION 49-426, IDAHO CODE, TO REPLACE THE TERM "REGISTERED" WITH THE TERM "NUMBERED" AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-7008, IDAHO CODE, TO REMOVE LANGUAGE RELATING TO CERTAIN REGISTRATION FEES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7101, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 67-7103, IDAHO CODE, TO PROVIDE THAT EACH SNOWMOBILE MUST BE NUMBERED AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7104, IDAHO CODE, TO REPLACE THE TERM "REGISTRATION" WITH "CERTIFICATE OF NUMBERING"; AMENDING SECTION 67-7105, IDAHO CODE, TO REMOVE THE TERM "REGISTRATION"; AMENDING SECTION 67-7106, IDAHO CODE, TO REPLACE THE TERM "REGISTRATION" WITH "CERTIFICATE OF NUMBER"; AMENDING SECTION 67-7108, IDAHO CODE, TO PROVIDE FOR APPLICATION OF LAW AND TO PROVIDE FOR A PROHIBITION; AMENDING SECTION 67-7112, IDAHO CODE, TO REPLACE THE TERM "REGISTERED" WITH THE TERM "NUMBERED"; AMENDING SECTION 67-7113, IDAHO CODE, TO REVISE A FINE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7122, IDAHO CODE, TO PROVIDE FOR A NUMBER CERTIFICATE, TO REVISE PROVISIONS RELATING TO CERTAIN INFORMATION SUBMITTED TO THE DEPARTMENT, TO REVISE PROVISIONS RELATING TO THE SALE OF CERTAIN VEHICLES AND TO REPLACE THE TERM "REGISTERED" WITH THE TERM "NUMBERED"; AMENDING SECTION 67-7123, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE TRANSFER OF NUMBER CERTIFICATES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-7124, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A CERTAIN EXEMPTION; AMENDING SECTION 67-7125, IDAHO CODE, TO REPLACE THE TERM "REGISTRATION" WITH "NUMBERING" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7126, IDAHO CODE, TO REVISE A TERM; TO PROVIDE FOR RULES; AND PROVIDING SEVERABILITY.

#### **HOUSE BILL NO. 493 BY TRANSPORTATION AND DEFENSE COMMITTEE AN ACT**

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-1011, IDAHO CODE, TO REVISE EXCEPTIONS

OF WEIGHT AND SIZE LIMITATIONS FOR MOTOR VEHICLES OPERATED ON NON-INTERSTATE HIGHWAYS.

**HOUSE BILL NO. 494**

**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
AN ACT

RELATING TO TRANSPORTATION; AMENDING SECTION 40-701, IDAHO CODE, TO PROVIDE THAT CERTAIN MONEYS SHALL BE CREDITED TO THE HIGHWAY DISTRIBUTION ACCOUNT AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE FOR DISTRIBUTION OF MONEYS TO THE GENERAL FUND AND TO PROVIDE FOR DISTRIBUTION OF MONEYS TO THE HIGHWAY DISTRIBUTION ACCOUNT.

**HOUSE BILL NO. 495**

**BY AGRICULTURAL AFFAIRS COMMITTEE**  
AN ACT

RELATING TO THE DAIRY PRODUCTS COMMISSION; AMENDING SECTION 25-3108, IDAHO CODE, TO SPECIFY THAT CERTAIN PROVISIONS ARE NOTWITHSTANDING DESIGNATED LAW, TO REVISE COMPENSATION AND REIMBURSEMENT PROVISIONS AND TO PROVIDE THAT MEMBERS OF THE DAIRY PRODUCTS COMMISSION SHALL FIX THE COMPENSATION AND REIMBURSEMENT THEY SHALL RECEIVE; AND AMENDING SECTION 25-3112, IDAHO CODE, TO REVISE THE TIME IN WHICH THE COMMISSION SHALL FILE A SPECIFIED ANNUAL REPORT WITH DESIGNATED ENTITIES.

**HOUSE BILL NO. 496**

**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO AUDITS OF LOCAL GOVERNMENTAL ENTITIES; AMENDING SECTION 67-450B, IDAHO CODE, TO PROVIDE FOR THE POSTING OF AUDITS ON WEBSITES, TO ESTABLISH PROVISIONS RELATING TO ACCOUNTS HOLDING TAXPAYER FUNDS, TO ESTABLISH PROVISIONS RELATING TO CERTAIN POLICIES AND PROCEDURES, TO ESTABLISH PROVISIONS RELATING TO CERTAIN COST STATISTICS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 497**

**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO HOSPITALS; AMENDING CHAPTER 13, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-1396, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE THAT PATIENTS ADMITTED TO A HOSPITAL SHALL RECEIVE AN ITEMIZED REPORT OF AVERAGE CHARGES, TO PROVIDE THAT HOSPITALS SHALL PROVIDE AN ESTIMATE OF ACTUAL CHARGES TO CONSUMERS WHEN REQUESTED, TO PROVIDE THAT THE DEPARTMENT SHALL ACCEPT REQUESTS FOR PROPOSAL TO CREATE A WEBSITE AND MOBILE APPLICATION, TO PROVIDE INFORMATION CONTAINED ON THE WEBSITE AND MOBILE APPLICATION, TO PROVIDE THAT HOSPITALS AND SURGICAL CENTERS SHALL SUBMIT DATA FOR USE ON THE WEBSITE AND MOBILE APPLICATION, TO PROVIDE THAT GAG CLAUSES SHALL NOT PREVENT DISCLOSURE OF REQUIRED INFORMATION, TO PROVIDE FOR PATIENT

CONFIDENTIALITY, TO PROVIDE THAT REPORTS SUBMITTED BY HOSPITALS SHALL BE SUBJECT TO PUBLIC INSPECTION, TO PROVIDE THAT THE DEPARTMENT MAY FURTHER EXAMINE RECORDS AND ACCOUNTS, TO PROVIDE AN APPEALS PROCESS, TO PROVIDE FOR RULEMAKING AUTHORITY AND TO AUTHORIZE PENALTIES; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 498**

**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO THE FILM AND TELEVISION PRODUCTION BUSINESS REBATE FUND; AMENDING SECTION 2, CHAPTER 350, LAWS OF 2008, TO REVISE A SUNSET DATE AND THE DATE WHEN THE STATE CONTROLLER IS DIRECTED TO TRANSFER MONEYS IN THE FUND TO THE GENERAL FUND.

**HOUSE BILL NO. 499**

**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO EDUCATION; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 2, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-213, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO PUBLIC EDUCATION AND PARENTAL RIGHTS, TO PROVIDE FOR PUBLIC POLICY AND TO ESTABLISH PROVISIONS RELATING TO A COMPELLING GOVERNMENTAL INTEREST; AND AMENDING CHAPTER 2, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-213A, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO A PARENT'S BILL OF RIGHTS, TO ESTABLISH PROVISIONS RELATING TO EDUCATION OF A MINOR CHILD, ACCESS AND REVIEW OF RECORDS, UPBRINGING OF A MINOR CHILD, DIRECTING THE MORAL AND RELIGIOUS TRAINING OF A MINOR CHILD, TO MAKE HEALTH CARE DECISIONS, TO OBTAIN CERTAIN INFORMATION, TO PROVIDE FOR APPLICATION OF LAW, TO ESTABLISH PROVISIONS RELATING TO ENCOURAGING OR COERCING A MINOR AND TO DEFINE A TERM.

[H 490](#), [H 491](#), [H 492](#), [H 493](#), [H 494](#), [H 495](#), [H 496](#), [H 497](#), [H 498](#), and [H 499](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1261](#), by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

[S 1228](#), by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

[S 1204](#), by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

[H 479](#), by Appropriations Committee, was read the second time by title and filed for third reading.

[H 396](#), by Health and Welfare Committee, was read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

#### [H 394](#) - HEALTH AND SAFETY

[H 394](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall [H 394](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 69.

NAYS – None.

Absent – Collins. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 394](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 395](#) - MEDICAID

[H 395](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

Pursuant to Rule 38(3), Mr. Malek disclosed a conflict of interest regarding [H 395](#).

The question being, "Shall [H 395](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Smith, Stevenson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 62.

NAYS – Barbieri, Barrett, Harris, McMillan, Shepherd, Sims. Total – 6.

Absent – Collins, Thompson. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 395](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [S 1213](#) - PROPERTY TAX

[S 1213](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall [S 1213](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 68.

NAYS – None.

Absent – Collins, Thompson. Total – 2.

Total – 70.

Whereupon the Speaker declared that [S 1213](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1236](#) - PROPERTY TAX NOTICES

[S 1236](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Trujillo to open debate.

The question being, "Shall [S 1236](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 68.

NAYS – None.

Absent – Collins, Thompson. Total – 2.

Total – 70.

Whereupon the Speaker declared that [S 1236](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1237](#) - TAX DEEDS

[S 1237](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Anderst to open debate.

The question being, "Shall [S 1237](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 68.

NAYS – None.

Absent – Collins, Thompson. Total – 2.

Total – 70.

Whereupon the Speaker declared that [S 1237](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

#### **Consideration of General Orders**

There being no objection, the House advanced to the Sixteenth Order of Business.

#### **Adjournment**

Mr. Moyle moved that the House adjourn until 10:30 a.m., Wednesday, February 12, 2014. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:48 a.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SECOND LEGISLATURE

THIRTY-EIGHTH LEGISLATIVE DAY  
WEDNESDAY, FEBRUARY 12, 2014

House of Representatives

The House convened at 10:30 a.m., Mr. Moyle in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Marija Kozomara, Page.

### Approval of Journal

February 12, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-seventh Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

At this time, the Speaker Pro Tem put the House at ease for the Lincoln Day program.

### LINCOLN DAY PROGRAM

Opening Remarks  
Rep. Rick Youngblood  
\*\*\*\*\*

"Rally Around the Flag"  
Charlie Simmons, Rep. Rick Youngblood  
Banjo & Guitar  
\*\*\*\*\*

Four Famous Lincoln Speeches - Idaho was There  
David Leroy  
\*\*\*\*\*

"Ashokan Farewell"  
Charlie Simmons, Rep. Rick Youngblood  
Banjo & Guitar  
\*\*\*\*\*

Lincoln's Keen Sense of Mortality  
Rep. Linden Bateman  
\*\*\*\*\*

"Marching Through Georgia"  
Charlie Simmons, Rep. Rick Youngblood  
Banjo & Guitar  
\*\*\*\*\*

The Gettysburg Address  
Skip Critell  
\*\*\*\*\*

Closing Remarks  
Rep. Rick Youngblood

Prior to going at ease, the House was at the Third Order of Business.

At this time, The Speaker took the Chair.

### Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR

### CERTIFICATE OF APPOINTMENT

**KNOW ALL MEN**, that pursuant to the provisions of Section 59-917, Idaho Code, GARY E. COLLINS, State Representative, District 13, Seat B, Canyon County, State of Idaho, has nominated, ANN COLLINS, of Nampa, ID, to perform the duties of this office temporarily as Acting State Representative, District 13, Seat B.

**NOW, THEREFORE, I, C.L. "BUTCH" OTTER**, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Ann Collins of Nampa, Idaho, to the office of Acting State Representative, District 13, Seat B, for a term commencing February 10, 2014, and continuing until such time as Representative Collins is able to resume his duties.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 7th day of February, in the year of our Lord two thousand and fourteen, and of the Independence of the United States of America, the two hundred and thirty-eighth year.

/s/ C.L. "BUTCH" OTTER  
Governor  
/s/ BEN T. YSURSA  
Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Ann Collins.

February 11, 2014

Mr. Speaker:

I transmit herewith [S 1229](#), [S 1257](#), [S 1264](#), and [S 1251](#) which have passed the Senate.

NOVAK, Secretary

[S 1229](#), [S 1257](#), [S 1264](#), and [S 1251](#) were filed for first reading.

### Report of Standing Committees

February 12, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HJM 6](#), [H 490](#), [H 491](#), [H 492](#), [H 493](#), [H 494](#), [H 495](#), [H 496](#), [H 497](#), [H 498](#), and [H 499](#).

WILLS, Chairman

[HJM 6](#) and [H 497](#) were referred to the Health and Welfare Committee.

[H 490](#) was referred to the Local Government Committee.



[H 491](#), [H 492](#), [H 493](#), and [H 494](#) were referred to the Transportation and Defense Committee.

[H 495](#) was referred to the Agricultural Affairs Committee.

[H 496](#) was referred to the State Affairs Committee.

[H 498](#) was referred to the Business Committee.

[H 499](#) was referred to the Education Committee.

February 12, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 375](#) and [H 385](#) to the Governor at 11:07 a.m., as of this date, February 11, 2014.

WILLS, Chairman

February 11, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration [H 422](#), [H 448](#), [S 1214](#), and [S 1215](#) and recommend that they do pass.

WILLS, Chairman

[H 422](#), [H 448](#), [S 1214](#), and [S 1215](#) were filed for second reading.

February 11, 2014

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [H 371](#), [H 372](#), [H 373](#), [H 424](#), and [H 425](#) and recommend that they do pass.

DENNEY, Chairman

[H 371](#), [H 372](#), [H 373](#), [H 424](#), and [H 425](#) were filed for second reading.

February 12, 2014

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 400](#) and recommend that it do pass.

LOERTSCHER, Chairman

[H 400](#) was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 500 BY EDUCATION COMMITTEE AN ACT

RELATING TO THE PROFESSIONAL STUDIES PROGRAM; AMENDING SECTION 33-3720, IDAHO CODE, TO REVISE LOAN PROVISIONS AND THE REPAYMENT THEREOF FROM THE PROFESSIONAL STUDIES PROGRAM; AMENDING SECTION 33-3721, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO PROVIDE FOR INTEREST FOR REPAYMENT OF LOANS TO BE RETAINED BY THE PROFESSIONAL STUDIES FUND; PROVIDING AN EFFECTIVE DATE AND PROVIDING APPLICATION.

#### HOUSE BILL NO. 501 BY EDUCATION COMMITTEE AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-517, IDAHO CODE, TO REVISE THE POWERS AND DUTIES OF SCHOOL DISTRICT BOARDS OF TRUSTEES, INCLUDING ANY SPECIALLY CHARTERED DISTRICTS AND PUBLIC CHARTER SCHOOLS, TO REVISE PROVISIONS RELATING TO GRIEVANCE PROCEDURES FOR CERTAIN NONCERTIFICATED EMPLOYEES AND TO MAKE TECHNICAL CORRECTIONS.

#### HOUSE BILL NO. 502 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO ELECTIONS; AMENDING CHAPTER 1, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-111A, IDAHO CODE, TO DEFINE A TERM; AMENDING SECTION 34-439A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO DISCLOSURES IN ELECTIONS TO AUTHORIZE A LEVY; AMENDING SECTION 34-903, IDAHO CODE, TO PROVIDE THAT NO CANDIDATE'S NAME MAY APPEAR ON A BALLOT FOR MORE THAN ONE JUDICIAL OFFICE; AMENDING SECTION 34-1002, IDAHO CODE, TO REMOVE LANGUAGE THAT PROHIBITS AN ELECTOR FROM CHANGING CERTAIN INFORMATION ON AN APPLICATION FOR ABSENTEE BALLOT; AMENDING CHAPTER 11, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-1106A, IDAHO CODE, TO AUTHORIZE COUNTY ADOPTION OF AN ELECTRONIC POLL BOOK AND TO PROVIDE RELATED REQUIREMENTS; AMENDING CHAPTER 18, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-1801B, IDAHO CODE, TO PROVIDE INITIATIVE AND REFERENDUM PROCEDURES FOR LOCAL ENTITIES; AND DECLARING AN EMERGENCY.

[H 500](#), [H 501](#), and [H 502](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1229](#), [S 1257](#), and [S 1264](#), by Education Committee, were introduced, read the first time by title, and referred to the Education Committee.

[S 1251](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

There being no objection, the House advanced to the Tenth Order of Business.

### Second Reading of Bills and Joint Resolutions

[HJR 2](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[S 1227](#), by Transportation Committee, was read the second time by title and filed for third reading.

[H 440](#) and [H 442](#), by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that [H 403](#) retain its place on the Third Reading Calendar until Monday, February 17, 2014. There being no objection, it was so ordered.



**H 363 - COSMETICIANS**

**H 363** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Crane to open debate.

The question being, "Shall **H 363** pass?"

Roll call resulted as follows:

AYES – Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Collins(Collins), Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Woodings, Youngblood, Mr. Speaker. Total – 65.

NAYS – Barrett, McMillan, Wood(35). Total – 3.

Absent – Agidius, Raybould. Total – 2.

Total – 70.

Whereupon the Speaker declared that **H 363** passed the House. Title was approved and the bill ordered transmitted to the Senate.

**S 1235 - PLATS**

**S 1235** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clow to open debate.

The question being, "Shall **S 1235** pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Collins(Collins), Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that **S 1235** passed the House. Title was approved and the bill ordered returned to the Senate.

**H 430 - NOXIOUS AND INVASIVE WEED AWARENESS WEEK**

**H 430** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Erpelding to open debate.

Pursuant to Rule 38(3), Mrs. Batt disclosed a conflict of interest regarding **H 430**.

The question being, "Shall **H 430** pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Collins(Collins), Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that **H 430** passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 402 - INCOME TAXES**

**H 402** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Anderson(31) to open debate.

Pursuant to Rule 38(3), Mr. Youngblood disclosed a conflict of interest regarding **H 402**.

The question being, "Shall **H 402** pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Collins(Collins), Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 69.

NAYS – None.

Absent – Anderson(01). Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 402** passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 479 - APPROPRIATIONS - WATER RESOURCES DEPARTMENT**

**H 479** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Bell to open debate.

The question being, "Shall **H 479** pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Collins(Collins), Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan,

Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 69.

NAYS – None.

Absent – Anderson(01). Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 479](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 396](#) - UNIFORM CONTROLLED SUBSTANCES

[H 396](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Perry to open debate.

The question being, "Shall [H 396](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Collins(Collins), Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, Meline, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Woodings, Youngblood, Mr. Speaker. Total – 64.

NAYS – Barbieri, Harris, McMillan, Mendive, Stevenson, Wood(35). Total – 6.

Total – 70.

Whereupon the Speaker declared that [H 396](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Thursday, February 13, 2014. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:48 a.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SECOND LEGISLATURE

THIRTY-NINTH LEGISLATIVE DAY  
THURSDAY, FEBRUARY 13, 2014

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent – Anderson(01), Collins(Collins). Total – 2.  
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Anthony Sein, Page.

### Approval of Journal

February 13, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-eighth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

### Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR  
Boise

February 13, 2014

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 374](#), [H 375](#), [H 385](#), and [H 407](#)

As Always - Idaho, "Esto Perpetua"  
/s/ C.L. "Butch" Otter  
Governor

February 12, 2014

Mr. Speaker:

I transmit herewith enrolled [S 1201](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [S 1201](#) and, when so signed, ordered it returned to the Senate.

February 12, 2014

Mr. Speaker:

I transmit herewith [S 1241](#), [S 1297](#), [S 1240](#), as amended, and [S 1224](#), as amended, which have passed the Senate.

NOVAK, Secretary

[S 1241](#), [S 1297](#), [S 1240](#), as amended, and [S 1224](#), as amended, were filed for first reading.

February 12, 2014

Mr. Speaker:

I return herewith [H 362](#), [H 381](#), and [H 384](#) which have passed the Senate.

NOVAK, Secretary

[H 362](#), [H 381](#), and [H 384](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

February 12, 2014

Mr. Speaker:

I return herewith [H 369](#), as amended in the Senate, which has passed the Senate.

NOVAK, Secretary

[H 369](#), as amended in the Senate, was ordered held at the Desk.

Mrs. Meline asked unanimous consent that the House concur in the Senate amendments to [H 369](#), as amended in the Senate. There being no objection, it was so ordered.

[H 369](#), as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

### Report of Standing Committees

February 13, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 500](#), [H 501](#), and [H 502](#).

WILLS, Chairman

[H 500](#) and [H 501](#) were referred to the Education Committee.

[H 502](#) was referred to the State Affairs Committee.

February 13, 2014

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, return misdirected [H 494](#) to the Desk.

PALMER, Chairman

[H 494](#) was referred to Revenue and Taxation Committee.

February 13, 2014

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 441](#) and recommend that it do pass.

COLLINS, Chairman

[H 441](#) was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 503  
BY EDUCATION COMMITTEE**

AN ACT

RELATING TO PUBLIC SCHOOLS; AMENDING SECTION 33-507, IDAHO CODE, TO REVISE AUTHORITY OF TRUSTEES OF SCHOOL DISTRICTS REGARDING THE EMPLOYMENT OF A SPOUSE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-514A, IDAHO CODE, TO PROVIDE AN ADDITIONAL GROUND WHEN A CATEGORY 1 LIMITED CONTRACT MAY BE ISSUED; AND AMENDING SECTION 33-5204, IDAHO CODE, TO REVISE AUTHORITY OF THE BOARD OF DIRECTORS OF A PUBLIC CHARTER SCHOOL REGARDING THE EMPLOYMENT OF A SPOUSE AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 504  
BY EDUCATION COMMITTEE**

AN ACT

RELATING TO EDUCATION; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 33-1002, IDAHO CODE, TO PROVIDE FOR A SUBTRACTION FROM TOTAL STATE FUNDS FOR LEADERSHIP PREMIUMS; AMENDING SECTION 33-1004C, IDAHO CODE, TO PROVIDE THAT THE LEGISLATURE SHALL ANNUALLY REVIEW BASE SALARY FIGURES, MINIMUM INSTRUCTIONAL SALARY FIGURES AND LEADERSHIP PREMIUM FIGURES; AMENDING SECTION 33-1004F, IDAHO CODE, TO REVISE PROVISIONS RELATING TO OBLIGATIONS TO RETIREMENT AND SOCIAL SECURITY BENEFITS; AND AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1004J, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO LEADERSHIP PREMIUMS FOR INSTRUCTIONAL STAFF EMPLOYEES, TO PROVIDE THAT LEADERSHIP PREMIUMS MAY BE MADE FOR CERTAIN REASONS, TO PROVIDE FOR MULTIPLE PREMIUMS, TO PROVIDE FOR REPORTS, TO DEFINE TERMS AND TO PROVIDE FOR RULES.

**HOUSE BILL NO. 505  
BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO SALES TAX DISTRIBUTION; AMENDING SECTION 63-3638, IDAHO CODE, TO REVISE DISTRIBUTIONS OF CERTAIN MONEYS; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 506  
BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO EXEMPTIONS FROM PROPERTY TAXATION; AMENDING SECTION 63-602JJ, IDAHO CODE, TO PROVIDE THAT PROPERTY MUST ACTUALLY BE USED IN THE ACTUAL PRODUCTION OF ELECTRICITY OR BE A SUBSTATION TO RECEIVE THE EXEMPTION FROM TAXATION FOR CERTAIN PRODUCERS OF ELECTRICITY, TO PROVIDE BUILDINGS OR STRUCTURES ON THE PROPERTY WHERE ELECTRICITY IS NOT ACTUALLY PRODUCED OR IS NOT A SUBSTATION SHALL NOT QUALIFY FOR THE EXEMPTION AND TO PROVIDE NO PERSONAL PROPERTY SHALL BE EXEMPT FROM TAXATION

BECAUSE OF THIS SECTION UNLESS IT IS EXEMPT FROM TAXATION AS OTHERWISE PROVIDED BY LAW; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 507  
BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO EDUCATION; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 58, TITLE 33, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE DEFINITIONS, TO ESTABLISH PROVISIONS RELATING TO A TAX CREDIT FOR CONTRIBUTIONS MADE TO A SCHOLARSHIP GRANTING ORGANIZATION, TO ESTABLISH PROVISIONS RELATING TO THE DUTIES AND RESPONSIBILITIES OF SCHOLARSHIP GRANTING ORGANIZATIONS, TO ESTABLISH PROVISIONS RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE STATE DEPARTMENT OF EDUCATION, TO ESTABLISH PROVISIONS RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE IDAHO STATE TAX COMMISSION, TO PROVIDE FOR RULES, TO ESTABLISH PROVISIONS RELATING TO THE DUTIES AND RESPONSIBILITIES OF PARTICIPATING SCHOOLS, TO PROVIDE FOR LIMITATION OF REGULATORY AUTHORITY AND TO PROVIDE THAT THE AMOUNT OF A SCHOLARSHIP SHALL NOT BE TREATED AS INCOME OR AS A RESOURCE FOR CERTAIN PURPOSES.

**HOUSE BILL NO. 508  
BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO UNCLAIMED PROPERTY; AMENDING SECTION 14-518, IDAHO CODE, TO REVISE THE REQUIREMENT OF A NOTICE OF ESCHEATMENT AND TO ESTABLISH PROVISIONS CONCERNING PUBLIC OUTREACH.

**HOUSE BILL NO. 509  
BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO THE COURT TECHNOLOGY FUND AND FEES; AMENDING SECTION 1-1623, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN FUND AND A CERTAIN PROGRAM, TO REVISE PROVISIONS RELATING TO A CERTAIN FUND AND TO PROVIDE CERTAIN REPORTING REQUIREMENTS; AMENDING SECTION 1-2303, IDAHO CODE, TO INCREASE A CERTAIN FEE, TO PROVIDE FOR A CERTAIN DEPOSIT INTO THE COURT TECHNOLOGY FUND AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 1-2311, IDAHO CODE, TO ESTABLISH A CERTAIN FEE AND TO PROVIDE FOR A CERTAIN DEPOSIT INTO THE COURT TECHNOLOGY FUND; AMENDING SECTION 10-1305, IDAHO CODE, TO INCREASE A CERTAIN FEE AND TO PROVIDE FOR THE DEPOSIT OF CERTAIN FEE AMOUNTS INTO CERTAIN FUNDS; AMENDING SECTION 31-3201, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN FEE AND A CERTAIN FUND; AMENDING SECTION 31-3201A, IDAHO CODE, TO PROVIDE A CODE REFERENCE, TO REMOVE CHAPTER REFERENCES, TO REVISE THE NAME OF A CERTAIN FUND, TO INCREASE CERTAIN FEES, TO ESTABLISH CERTAIN FEES, TO PROVIDE FOR CERTAIN DEPOSITS INTO CERTAIN FUNDS, TO SPECIFY THAT CERTAIN FEES SHALL BE SET BY RULE OR ADMINISTRATIVE ORDER OF THE SUPREME

COURT AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-3201H, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN FEE AND A CERTAIN FUND AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 31-3221, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN FUND.

**HOUSE BILL NO. 510**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO PROPERTY; AMENDING SECTION 11-202, IDAHO CODE, TO REMOVE REFERENCE TO AN ELECTIVE OFFICIAL RELATING TO DEBTS OWED BY THE STATE IN THE EXECUTION AND GARNISHMENT AFTER FINAL JUDGMENT AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 511**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO THE COLLECTION OF INFORMATION; AMENDING TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 92, TITLE 67, IDAHO CODE, TO PROVIDE DEFINITIONS, TO ESTABLISH PROVISIONS RELATING TO THE RESPONSIBILITY OF PRIVATE ENTITIES IN COLLECTING AND STORING CERTAIN INFORMATION, TO PROVIDE FOR A RIGHT OF ACTION AND DAMAGES AND TO PROVIDE FOR THE APPLICATION OF LAW.

[H 503](#), [H 504](#), [H 505](#), [H 506](#), [H 507](#), [H 508](#), [H 509](#), [H 510](#), and [H 511](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1241](#), by Local Government and Taxation Committee, was introduced, read the first time by title, and referred to the Local Government Committee.

[S 1297](#), by Finance Committee, was introduced, read the first time by title, and filed for second reading.

[S 1240](#), as amended, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

[S 1224](#), as amended, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

[H 422](#) and [H 448](#), by Judiciary, Rules, and Administration Committee, were read the second time by title and filed for third reading.

[S 1214](#) and [S 1215](#), by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

[H 371](#), [H 372](#), [H 373](#), [H 424](#), and [H 425](#), by Resources and Conservation Committee, were read the second time by title and filed for third reading.

[H 400](#), by State Affairs Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Eleventh Order of Business.

**Third Reading of Bills and Joint Resolutions**

**[HJR 2](#) - RULEMAKING AUTHORITY**

[HJR 2](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Loertscher to open debate.

The question being, "Shall [HJR 2](#) be adopted?"

Roll call resulted as follows:

AYES – Agidius, Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 67.

NAYS – None.

Absent – Anderson(01), Collins(Collins), Crane. Total – 3.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, [HJR 2](#) was adopted by the House. Title was approved and the resolution ordered transmitted to the Senate.

**[S 1227](#) - HIGHWAYS**

[S 1227](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Denney to open debate.

The question being, "Shall [S 1227](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 66.

NAYS – None.

Absent – Anderson(01), Collins(Collins), Crane, Thompson. Total – 4.

Total – 70.

Whereupon the Speaker declared that [S 1227](#) passed the House. Title was approved and the bill ordered returned to the Senate.

**[H 440](#) - PROPERTY TAXES - ELECTRIC UTILITIES**

[H 440](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kauffman to open debate.

The question being, "Shall [H 440](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker.  
Total – 66.

NAYS – None.

Absent – Anderson(01), Collins(Collins), Crane, Thompson.  
Total – 4.

Total – 70.

Whereupon the Speaker declared that [H 440](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 442](#) - STATE TAX COMMISSION

[H 442](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Trujillo to open debate.

The question being, "Shall [H 442](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo, Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker.  
Total – 67.

NAYS – None.

Absent – Anderson(01), Collins(Collins), Thompson.  
Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 442](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

At this time, the Speaker put the House at ease for the House Page program.

Prior to going at ease, the House was at the Eleventh Order of Business.

There being no objection, the House advanced to the Sixteenth Order of Business.

#### Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Friday, February 14, 2014. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12 noon.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk